

House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. BULL: Resolutions of Narragansett Lodge, No. 478, Brotherhood of Locomotive Firemen, Providence, R. I., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of the California State League of Republican Clubs, favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. BROMWELL: Petitions of distillers of Cincinnati, Ohio, in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. BURKETT: Petition of citizens of Chehalis County, Wash., in favor of House bill 7475, for additional homesteads—to the Committee on the Public Lands.

By Mr. CREAMER: Resolutions of the West End Republican Association of the City of New York and Woman's Republican Association of the State of New York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HEMENWAY: Resolutions of Mine Workers' Unions No. 1243, of Boonville, and No. 1491, of Sophia, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HOLLIDAY: Resolution of United Mine Workers' Union No. 1411, of Burnett, Ind., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. LITTLEFIELD: Petitions of J. J. Pike & Son, Benjamin Tucker, P. A. Howard, Thomas Frank, and E. E. Hardy, farmers and dairymen in the State of Maine, favoring the new oleomargarine bill—to the Committee on Agriculture.

By Mr. RAY of New York: Petition of G. E. Wood and others, of Ithaca, N. Y., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. SMITH of Kentucky: Paper to accompany House bill 14195, granting an increase of pension to David T. Towles—to the Committee on Invalid Pensions.

By Mr. SNOOK: Resolution of the Credit Men's Association of Columbus, Ohio, indorsing the Ray bankruptcy bill—to the Committee on the Judiciary.

By Mr. SOUTHWICK: Petition of D. Hardy and other citizens of New York City favoring House bills 178 and 179, for reduction of tax on liquor—to the Committee on Ways and Means.

By Mr. SPERRY: Petition of citizens of Waterbury, Conn., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

## SENATE.

TUESDAY, May 6, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

### SANDY HOOK PROVING GROUNDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter addressed to the Chief of Ordnance, United States Army, by Capt. E. B. Babbitt, commanding officer, Sandy Hook Proving Grounds, relative to an appropriation for the protection of the lower end of the Sandy Hook reservation from the inroads of the sea; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

### STATUE OF MARSHAL DE ROCHAMBEAU.

The joint resolution (H. J. Res. 189) making an additional appropriation for expenses of the dedication of the statue of Marshal de Rochambeau to be unveiled in the city of Washington, was read the first time by its title.

Mr. ALLISON. It is very important that the joint resolution should be passed immediately, as it is necessary to make arrangements for the dedication of the statue on the 24th of May. I ask that it be put upon its passage.

The joint resolution was read the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the additional sum of \$10,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of State for the purpose of carrying out the provisions of the joint resolution entitled a "Joint resolution authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument of Marshal de Rochambeau to be unveiled in the city of Washington," approved March 21, 1902.*

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### DESECRATION OF THE FLAG.

Mr. HANSBROUGH. Mr. President, on two or three occasions I have introduced bills to prevent the desecration of the national flag, and they were referred to appropriate committees. Other Senators, I think, have introduced similar bills. The bills are now before committees of this body. I am in receipt this morning of a petition signed by 341 ex-soldiers of the Union Army asking for action on this measure.

Mr. HOAR. What committee is the bill now before?

Mr. HANSBROUGH. It is before the Committee on Military Affairs. I will ask that the petition go to the Committee on Military Affairs.

The PRESIDENT pro tempore. The petition will be referred to the Committee on Military Affairs.

Mr. BURROWS. The Senator will allow me to say in this connection that the bill is before the Committee on Military Affairs and is now receiving the consideration of a subcommittee.

Mr. HANSBROUGH. I am very glad to hear it.

Mr. HOAR. I should like to make a statement, as the Senator from North Dakota has made one.

I have very warmly favored the object of the petition which the Senator has presented. A bill came before the Committee on the Judiciary in the last Congress or the Congress before. It was recommended by myself, and certainly by other members of the committee, but in the discussions in the committee we found so many difficulties in regard to any particular plan proposed, which upon being suggested would appear to everyone, in getting exactly the legislation desired without impairing the reasonable and proper right of citizens to use the flag for public occasions, that we found ourselves unable to devise such a measure. We were not able to agree on such a bill which we could recommend to the Senate, and in the multitude of work before the committee it was put over. The bill has not come to our committee this year. I do not think, however, there has been any want of a full desire on the part of the committee to accomplish the end which my friend has in view. I think I personally favor the bill he presents, but I can not be quite sure about it. There is difficulty in dealing with the details of such a measure.

Mr. HANSBROUGH. Mr. President—

The PRESIDENT pro tempore. Petitions and memorials are in order.

Mr. HANSBROUGH. I desire to say simply a word in reply to the Senator from Massachusetts.

The PRESIDENT pro tempore. There is nothing before the Senate.

Mr. HANSBROUGH. By unanimous consent I desire to say a word.

The PRESIDENT pro tempore. The Senator from North Dakota will proceed, in the absence of objection.

Mr. HANSBROUGH. The first bill I introduced on the subject went to the Committee on the Judiciary. Later I received a request from a well-known patriotic organization of the country requesting that the bill be reintroduced and referred to the Committee on Military Affairs. That accounts for the fact that I reintroduced the bill and sent it to that committee, and, as the Senator from Michigan [Mr. BURROWS] has stated, the bill is now being considered by the Committee on Military Affairs.

### PETITIONS AND MEMORIALS.

Mr. HANSBROUGH presented a petition of Local Division No. 202, Brotherhood of Locomotive Engineers, of Fargo, N. Dak., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. PLATT of New York presented a petition of sundry citizens of New York City and Brooklyn, N. Y., praying for the repeal of the tariff on beef, veal, mutton, and pork; which was referred to the Committee on Finance.

He also presented petitions of the Piano and Organ Workers' Local Union of Derby City; of Lodge No. 480, International Association of Machinists, of Buffalo, and of Horseshoe Nail Makers' Local Union No. 9656, American Federation of Labor, of Keeseville, all in the State of New York, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a petition of the Audubon Society of the State of New York, praying for the enactment of legislation for the protection of game in Alaska, and for the transfer of certain



forest reserves to the control of the Department of Agriculture; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the West End Woman's Republican Association of New York City, N. Y., and a petition of the Woman's Republican Association of the State of New York, praying for the enactment of legislation to increase the salaries of letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Division No. 225, Order of Railway Conductors, of Hornellsville, N. Y., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. BURROWS presented petitions of sundry citizens of St. Charles, Mich., praying for the enactment of legislation to reduce letter postage to 1 cent per ounce; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Division No. 33, Brotherhood of Locomotive Engineers, of Battle Creek; of Local Division No. 6, Order of Railway Conductors, of Battle Creek; of Local Division No. 340, Order of Railway Conductors, of Gladstone; of Lodge No. 260, Brotherhood of Locomotive Firemen, of Grand Rapids; of Lodge No. 158, Brotherhood of Locomotive Firemen, of Detroit; of Lodge No. 367, Brotherhood of Railroad Trainmen, of Calumet; and of Lodge No. 568, Brotherhood of Railroad Trainmen, of Alpena, all in the State of Michigan, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of the International Association of Machinists of Fairhaven, Wash., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. BURNHAM presented a petition of Lodge No. 306, Brotherhood of Locomotive Firemen, of Concord, N. H., and a petition of Lodge No. 537, Brotherhood of Railroad Trainmen, of Concord, N. H., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. CLAPP presented a petition of Carpenters and Joiners' Local Union No. 980, American Federation of Labor, of Rochester, Minn., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

He also presented a memorial of the Minnesota Furniture Manufacturers' Association of Minneapolis, Minn., remonstrating against the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of Local Division No. 333, Brotherhood of Locomotive Engineers, of St. Paul, Minn., and a petition of Local Division No. 102, Brotherhood of Locomotive Engineers, of Austin, Minn., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. BARD presented a petition of the First Ward Improvement Club of Vallejo, Cal., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Chamber of Commerce, of Los Angeles, Cal., praying for the enactment of legislation providing for the reorganization of the consular service of the United States; which was ordered to lie on the table.

He also presented petitions of Machinists' Local Union of Oakland; of Carpenters' Local Union of Watsonville; of Carpenters' Local Union of Oakland; of Carpenters' Local Union of Alameda; of Carpenters and Joiners' Local Union No. 35, of San Rafael; of Local Union No. 829, of Santa Cruz; of Carpenters and Joiners' Local Union No. 944, of San Bernardino; of Local Union No. 642, of East Yard; of Carpenters and Joiners' Local Union No. 668, of Palo Alto; of Carpenters' Local Union No. 235, of Riverside; of Carpenters' Local Union No. 316, of San Jose; of Leather Workers on Horse Goods Local Union No. 57, of San Francisco; of Local Union No. 9, of San Francisco; of Leather Workers'

Local Union No. 17, of Benicia; of Wood Workers' Local Union No. 152, of San Francisco; of Local Union No. 1, of Fresno; of Millmen's Local Union No. 263, of San Jose; of the Journeymen Barbers' Local Union No. 317, of Bakersfield; of Local Union No. 252, of San Jose; of Iron Molders' Local Union of Los Angeles; of Brewery Workers' Local Union No. 7, of San Francisco; of Cloak Makers' Local Union No. 891, of San Francisco, and of Cigar Makers' Local Union No. 225, of Los Angeles, all of the American Federation of Labor, in the State of California, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. FAIRBANKS presented a petition of F. E. Dupell Lodge, No. 231, Brotherhood of Railroad Trainmen, of Terre Haute, Ind., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. DOLLIVER presented the petition of Parley B. West, of Lake View, Iowa, praying that he be granted an increase of pension; which was referred to the Committee on Pensions.

He also presented a petition of sundry wholesale and retail liquor dealers of Fort Madison, Iowa, praying for the adoption of certain amendments to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

He also presented a petition of the general conference of the Reorganized Church of Latter Day Saints, of Lamoni, Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of Julian Lodge, No. 379, International Association of Machinists, of Dubuque, Iowa, and of United Mine Workers' Local Union No. 869, of Boonsboro, Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a petition of the Davenport Business Men's Association, of Davenport, Iowa, praying that permission be granted the Postal Telegraph and Cable Company to establish cable communication between the United States and the Philippines by way of the Sandwich Islands; which was referred to the Committee on the Philippines.

He also presented petitions of Fraser Division, No. 131, Brotherhood of Locomotive Engineers, of Sanborn; of Sioux City Lodge, No. 64, Brotherhood of Locomotive Firemen, of Sioux City; of Twin City Lodge, No. 56, Brotherhood of Railroad Trainmen, of Cedar Rapids; of Key City Lodge, No. 106, Brotherhood of Locomotive Firemen, of Dubuque; of Queen of Midland Division, No. 220, Brotherhood of Locomotive Engineers, of Mason City; of Fort Dodge Division, No. 93, Order of Railway Conductors, of Fort Dodge; of Esther Lodge, No. 352, Brotherhood of Railroad Trainmen, of Estherville; of Evening Star Lodge, No. 112, Brotherhood of Locomotive Firemen, of Lake City; of Clinton Lodge, Brotherhood of Locomotive Firemen, of Clinton; of Sioux City Division, No. 232, Order of Railway Conductors, of Sioux City; of Local Division, No. 410, Order of Railway Conductors, of Belle Plaine, and of Eagle Grove Division, No. 164, Order of Railway Conductors, of Eagle Grove, all in the State of Iowa, and of Local Division, No. 96, Order of Railroad Telegraphers, of South Freeport, Ill., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. SPOONER presented the petition of John Hemull and 103 other citizens of Ashland, Wis., praying for the repeal of the tariff duties on beef, veal, mutton, and pork; which was referred to the Committee on Finance.

He also presented a petition of Local Division, No. 253, Order of Railway Conductors, of Ashland, Wis., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. BEVERIDGE presented a petition of the Columbia Encaustic Tile Company, of Anderson, Ind., praying for the enactment of legislation to maintain the gold standard, and providing for an elastic currency; which was referred to the Committee on Finance.

He also presented a petition of Local Division, No. 492, Brotherhood of Locomotive Engineers, of Indianapolis, Ind., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining



orders and injunctions" in certain cases; which was ordered to lie on the table.

Mr. DEPEW presented a petition of Steuben Division, No. 225, Order of Railway Conductors, of Hornellsville, N. Y., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. BLACKBURN presented a petition of the International Association of Machinists of Ludlow, Ky., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. HOAR presented a petition of Framingham Lodge, No. 236, Brotherhood of Railroad Trainmen, of South Framingham, Mass., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

Mr. RAWLINS presented petitions of Local Division No. 222, Brotherhood of Locomotive Engineers, of Salt Lake City; of Local Division No. 9, Brotherhood of Railroad Engineers, of Ogden; of Lodge No. 98, Brotherhood of Locomotive Firemen, of Ogden; of Lodge No. 388, Brotherhood of Railroad Trainmen, of Salt Lake City; of Boiler Makers and Iron Shipbuilders' Local Union No. 198, of Ogden; of Typographical Union No. 236, of Ogden; of the Plumbers' Local Union of Salt Lake City; of Tailors' Local Union No. 111, of Ogden; of Broom Makers' Local Union No. 38, of Ogden; of Carpenters and Joiners' Local Union No. 450, of Ogden; of Leather Workers' Local Union No. 78, of Salt Lake City, and of Local Union No. 127, of Ogden, all of the American Federation of Labor, in the State of Utah, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

#### EASTERN CHEROKEE INDIANS.

Mr. GAMBLE. I present a statement in relation to the award made the Eastern Cherokee Indians under the act of March 3, 1893, and the findings of the Court of Claims in regard thereto rendered April 28, 1902. I move that the statement be printed as a document and referred to the Committee on Indian Affairs. The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 5467) to remove the charge of desertion against William Persons, reported it with amendments, and submitted a report thereon.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (H. R. 8752) authorizing the board of supervisors of Santa Cruz County, Ariz., to issue bonds for the erection of a court-house and jail for said county, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 4616) to grant title to the town of Juneau, Alaska, of lands occupied for school purposes, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6172) granting an increase of pension to Friedrich Weimar;

A bill (H. R. 7228) granting an increase of pension to Christian Christianson;

A bill (H. R. 7229) granting an increase of pension to Edwin M. Dunning; and

A bill (H. R. 3238) granting an increase of pension to Lorenzo Weeks.

Mr. BURNHAM, from the Committee on Territories, to whom was referred the bill (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and so forth, reported it with amendments, and submitted a report thereon.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2375) granting an increase of pension to Daniel Riden-gar; and

A bill (S. 5047) granting a pension to E. C. Curtis.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2653) granting an increase of pension to Joshua Weaver; and

A bill (H. R. 1724) granting an increase of pension to Daniel F. Thompson.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 9544) granting an increase of pension to George W. Barry, reported it with an amendment, and submitted a report thereon.

ABBIE C. BREMNER.

Mr. FOSTER of Washington. I am directed by the Committee on Pensions, to whom was referred the bill (S. 5534) granting an increase of pension to Abbie C. Bremner, to report it without amendment, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Abbie C. Bremner, widow of James Bremner, late of Company G, Thirty-fifth Regiment Iowa Volunteer Infantry, and to pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLARA P. ELLIOTT.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. GALLINGER on the 3d instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Clara P. Elliott, mother of C. B. Elliott, late a laborer on the rolls of the Senate, a sum equal to six months' salary at the rate of \$720 per annum, said sum to be considered as including funeral expenses and all other allowances.

#### TERM OF OFFICE OF SENATORS IN HAWAII.

Mr. FORAKER. I am directed by the Committee on Pacific Islands and Porto Rico to report back favorably with an amendment the bill (S. 4456) to apportion the term of office of seven senators elected at the first general election of the Territory of Hawaii, and I submit a report thereon.

Mr. BEVERIDGE. A similar bill has also been before the Committee on Territories, and I ask that the Committee on Territories be relieved from the further consideration of the bill (H. R. 13076) to apportion the term of senators elected at the first general election in the Territory of Hawaii.

The PRESIDENT pro tempore. The committee will be discharged from the further consideration of the bill.

Mr. FORAKER. I wish to make an inquiry. There were two of these bills introduced, one in the House and the other in the Senate. The House bill was passed with an amendment and sent to the Senate, and instead of being referred to the Committee on Pacific Islands and Porto Rico it was referred to the Committee on Territories. The Committee on Pacific Islands and Porto Rico were not aware of that reference of the House bill until after they had acted upon the Senate bill, but they had the House bill before them. The Committee on Pacific Islands and Porto Rico determined to substitute the House bill for the Senate bill and did so, and I have just made the report.

Now, the bill as it passed the House is again before the Senate, at the request of the chairman of the Committee on Territories, that committee having been relieved from its further consideration. I now ask that the House bill, from the further consideration of which the Committee on Territories has just been relieved, may be substituted for the Senate bill.

Mr. COCKRELL. And taken up and passed.

Mr. FORAKER. And that the same may be at once considered. There is no objection to the bill. It passed the House, I believe, without objection. All parties concerned are agreed upon the provisions of the House bill, and we have reported it as a substitute for the Senate bill.

The PRESIDENT pro tempore. The Senator from Ohio asks unanimous consent for the present consideration of a bill, which will be read to the Senate for its information.

The Secretary read the bill (H. R. 13076) to apportion the term of office of senators elected at the first general election in the Territory of Hawaii, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FORAKER. I move that the bill (S. 4456) to apportion the term of office of seven senators elected at the first general election of the Territory of Hawaii be indefinitely postponed.

The motion was agreed to.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. PETTUS introduced a bill (S. 5658) for the relief of the Episcopal Church in Selma, Ala.; which was read twice by its title, and referred to the Committee on Claims.



Mr. BERRY introduced a bill (S. 5659) granting an increase of pension to Malinda Heard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RAWLINS introduced a bill (S. 5660) granting a pension to George W. Berry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 5661) granting an increase of pension to John Purkapile; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 5662) granting an increase of pension to Henry Sickles; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5663) granting an increase of pension to Charles Olson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES of Arkansas introduced a bill (S. 5664) granting an increase of pension to George E. Dillingham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DIETRICH introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5665) granting an increase of pension to Alvin Gray;

A bill (S. 5666) granting an increase of pension to Charles Grass; and

A bill (S. 5667) granting a rerating of pension to John B. Mitchell.

Mr. GALLINGER (by request) introduced a bill (S. 5668) requiring the Anacostia and Potomac River Railroad Company to extend its Eleventh street line, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5669) granting a pension to Charlotte M. Howe; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5670) granting a pension to Samuel H. Chamberlin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 5671) to regulate the height of buildings in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TURNER introduced a bill (S. 5672) to abolish the circuit courts, to define and increase the jurisdiction of and to simplify appeals from the district courts of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 5673) for the relief of the estate of L. M. Flournoy, deceased; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ALLISON introduced a joint resolution (S. R. 93) to authorize the removal of certain greenhouses and plants from the grounds of the Executive Mansion; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM introduced a joint resolution (S. R. 94) providing for the printing of the various reports of the officers and boards of the World's Columbian Exposition, held at Chicago in 1893; which was read twice by its title, and referred to the Committee on Printing.

#### AMENDMENTS TO BILLS.

Mr. FAIRBANKS, Mr. HOAR, Mr. PLATT of Connecticut, and Mr. SPOONER submitted amendments intended to be proposed by them to the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; which were referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. BLACKBURN submitted an amendment providing that the superintendent of meters at the Capitol shall take the statements of the meters in the several departmental and city buildings in the District of Columbia, etc., intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. McMILLAN submitted an amendment proposing to appropriate \$4,300 for paving Wyoming avenue west of Connecticut avenue, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. GALLINGER submitted an amendment authorizing the Commissioners of the District of Columbia to grant not more than thirty days' leave of absence to each per diem employee who has been continuously in the service of the District for one year, intended to be proposed by him to the District of Columbia appro-

priation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. STEWART submitted an amendment proposing to increase the salary of the sanitarian food inspector, health department, District of Columbia, from \$1,600 to \$2,400, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McMILLAN submitted an amendment proposing to regulate the assessment and collection of personal taxes in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

#### CONSIDERATION OF PENSION BILLS, ETC.

The PRESIDENT pro tempore. The morning business is closed, and the Secretary will announce the first pension bill on the Calendar.

Mr. BATE. I ask if there has been any order about taking up pension bills.

The PRESIDENT pro tempore. The order was that thirty minutes, immediately after the routine business was completed this morning, should be devoted to the consideration of unobjected pension cases and cases correcting military records.

Mr. BATE. So there was an order made?

The PRESIDENT pro tempore. Yes; there is an order to that effect.

#### HELEN F. LASHER.

The bill (H. R. 9777) granting a pension to Helen F. Lasher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen F. Lasher, widow of Oren E. Lasher, late lieutenant, United States Navy, and to pay her a pension of \$25 per month and \$2 per month additional on account of each of the minor children of said Oren E. Lasher until they reach the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JAMES MERRICK.

The bill (H. R. 11325) granting an increase of pension to James Merrick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Merrick, late of Company I, One hundred and thirty-third Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### WILLIAM T. PETERSON.

The bill (H. R. 7982) granting an increase of pension to William T. Peterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Peterson, late of Company F, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FREDERICK O. CLARK.

The bill (H. R. 12148) granting an increase of pension to Frederick O. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick O. Clark, late of Company H, Seventy-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### JAMES M. ASHLEY.

The bill (H. R. 7507) granting an increase of pension to James M. Ashley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Ashley, late of Company L, First Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HANNAH A. TIMMONS.

The bill (H. R. 11894) granting a pension to Hannah A. Timmons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hannah A. Timmons,



widow of William R. Timmons, late captain Company D, Thirty-fifth Regiment Illinois Volunteer Infantry, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUNSFORD Y. BAILEY.

The bill (H. R. 9656) granting an increase of pension to Lunsford Y. Bailey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lunsford Y. Bailey, late of Company I, Twenty-third Regiment Indiana Volunteer Infantry, and Signal Corps, United States Army, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN A. VOLKMAR.

The bill (H. R. 11850) granting an increase of pension to Susan A. Volkmar was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "thirty-five;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan A. Volkmar, widow of William J. Volkmar, late major and assistant adjutant-general, United States Army, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

HENRY E. WILLIAMS.

The bill (H. R. 11051) granting an increase of pension to Henry E. Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry E. Williams, late first lieutenant Company B, Thirty-first Regiment Iowa Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRAM H. THOMAS.

The bill (S. 5403) granting an increase of pension to Hiram H. Thomas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram H. Thomas, late of Company I, First Regiment Rhode Island Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN J. MANNER.

The bill (H. R. 11787) granting a pension to John J. Manner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John J. Manner, late of Company B, Two hundred and second Regiment New York Volunteer Infantry, war with Spain, and to pay him a pension of \$22 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK W. LYNN.

The bill (H. R. 4632) granting a pension to Frank W. Lynn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank W. Lynn, late of Company C, First Regiment Colorado Volunteer Infantry, war with Spain, and to pay him a pension of \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DEWITT CLINTON LETTS.

The bill (H. R. 7901) granting a pension to Dewitt Clinton Letts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dewitt Clinton Letts, late of Company C, One hundred and thirty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOANNA ROGERS.

The bill (S. 921) granting a pension to Joanna Rogers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Joanna Rogers, widow of Alma Rogers, late of Company C, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES O. BALDWIN.

The bill (S. 2168) granting an increase of pension to Charles O. Baldwin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "second lieutenant;" and in line 8, before the word "dollars," strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles O. Baldwin, late second lieutenant Company E, Fourteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving, to be paid to his legally constituted guardian.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VESTA A. BROWN.

The bill (S. 4415) granting an increase of pension to Vesta A. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Company," to strike out the letter "I" and insert the letter "F;" in the same line, before the word "Regiment," to strike out "Third" and insert "Seventeenth;" and in line 9, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Vesta A. Brown, widow of William A. Brown, late of Company F, Seventeenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JENNIE M. WAGNER.

The bill (S. 5202) granting an increase of pension to Jennie Wagner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennie M. Wagner, widow of Max Wagner, late second lieutenant, Twenty-sixth Regiment United States Volunteer Infantry, war with Spain, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving, and \$2 per month additional on account of each of the minor children of said Max Wagner until they reach the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Jennie M. Wagner."

ELIPHALET NOYES.

The bill (S. 4712) granting an increase of pension to Eliphalet Noyes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," where it occurs the first time, to strike out "Eliphalet" and insert "Eliphlet;" in line 7, after the word "Maine," to strike out "Veteran," and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliphlet Noyes, late of Company G, Thirtieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Eliphalet Noyes."



## LINDA W. SLAUGHTER.

The bill (S. 1458) granting an increase of pension to Linda W. Slaughter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "surgeon," to strike out "and major;" in line 8, before the word "Infantry," to strike out "Mounted" and insert "Volunteer," and in line 9, before the word "dollars," to strike out "fifty" and insert "thirty-five;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Linda W. Slaughter, widow of Benjamin F. Slaughter, late surgeon Fifty-fifth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## CALVIN N. PERKINS.

The bill (S. 4240) granting a pension to Calvin N. Perkins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty," and in the same line, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Calvin N. Perkins, late of Company H, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Calvin N. Perkins."

## HESTER A. FARNSWORTH.

The bill (S. 5080) granting a pension to Hester A. Farnsworth was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "Infantry," to strike out "Volunteer;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hester A. Farnsworth, dependent mother of Edward Farnsworth, late of Company C, Twelfth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## SAMUEL S. WALCK.

The bill (S. 5119) granting an increase of pension to Samuel S. Walck was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out the name "Walck" and insert "Walck;" and in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel S. Walck, late of Company G, Seventeenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Samuel S. Walck."

## JUSTUS L. DENTON.

The bill (S. 2646) granting a pension to Justus L. Denton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Justus L. Denton, late of Company

E. Eighty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JAMES E. MCNAIR.

The bill (S. 896) granting an increase of pension to James E. McNair was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. McNair, late first lieutenant Company K, Sixth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ADAM STUBER.

The bill (S. 5118) granting an increase of pension to Adam Stuber was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "captain," to strike out "also" and insert "and," and in line 8, before the word "Illinois," to insert "Regiment;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adam Stuber, late of Company I, Fifteenth Regiment United States Infantry, war with Mexico, and captain Company M, Eleventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## WARREN Y. MERCHANT.

The bill (S. 2457) granting an increase of pension to Warren Y. Merchant was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Warren Y. Merchant, late of Company L, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JONATHAN O. THOMPSON.

The bill (S. 5371) granting an increase of pension to Jonathan O. Thompson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-five" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonathan O. Thompson, late of Company G, First Regiment Alabama Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JOHN P. COLLIER.

The bill (S. 3551) granting an increase of pension to John P. Collier was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Kentucky," to strike out "of;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John P. Collier, late of Company A, Eleventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.



## MARY L. PURINGTON.

The bill (S. 2863) granting an increase of pension to Mary L. Purington was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Purington, widow of George A. Purington, late lieutenant-colonel Third Regiment United States Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## GILBERT BARKALOW.

The bill (S. 5052) granting an increase of pension to Gilbert Barkalow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "Battery," to insert "Independent;" in line 7, before the word "and," to strike out "Volunteers" and insert "Volunteer Light Artillery;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gilbert Barkalow, late of Eighth Independent Battery Ohio Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## NELSON W. CARLTON.

The bill (S. 1614) granting an increase of pension to Nelson W. Carlton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nelson W. Carlton, late of Company K, Second Regiment Minnesota Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## HANNAH A. VAN EATON.

The bill (S. 5209) granting an increase of pension to Hannah A. Van Eaton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "surgeon," to strike out "major and;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-five;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah A. Van Eaton, widow of Flavel H. Van Eaton, late surgeon Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## DAVID J. NEWMAN.

The bill (S. 2056) granting an increase of pension to David J. Newman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David J. Newman, late of Company G, Twenty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## JOHN H. EVERITT.

The bill (S. 5302) granting an increase of pension to John H. Everitt was considered as in Committee of the Whole. It pro-

poses to place on the pension roll the name of John H. Everitt, late of Company F, First Regiment Potomac Home Brigade (Thirteenth) Maryland Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## WILLIAM H. DIXON.

The bill (H. R. 5110) granting an increase of pension to William H. Dixon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Dixon, late of Company G, Fifty-first Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY TATE.

The bill (H. R. 1380) granting an increase of pension to Mary Tate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Tate, widow of Waddy Tate, late musician in Captain Poindexter's company, Virginia Volunteers, war of 1812, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## URIAH GARBER.

The bill (H. R. 9156) granting an increase of pension to Uriah Garber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Uriah Garber, late of Company F, First Regiment Potomac Home Brigade, Maryland Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## THOMAS WELLS.

The bill (H. R. 12576) granting an increase of pension to Thomas Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Wells, late private, United States Marine Corps, war with Mexico, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## GEORGE W. HATTON.

The bill (H. R. 11695) granting an increase of pension to George W. Hatton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Hatton, late of Company C, First Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ALBERT BOKER.

The bill (H. R. 2316) to correct the military record of Albert Boker was considered as in Committee of the Whole. It provides that Albert Boker shall be held not to have deserted from the military service of the United States as a private of Battery F, Second United States Artillery, but to have been honorably discharged from said service and battery August 7, 1865.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PAUL CRUM.

The bill (H. R. 5096) to place the name of Paul Crum on the muster rolls of Company B, First Regiment North Dakota Volunteer Infantry, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 3, after the word "That," to strike out the words "the Secretary of War be, and he is hereby, directed to place the name of;" line 5, after the words "North Dakota," to strike out the words "upon the muster rolls" and insert in lieu thereof the words "shall be held and considered to have served;" in line 7, after the word "Infantry," to strike out "lately engaged in service;" in line 8, after the word "Spain," to strike out "as of date" and insert "from;" in line 9, after "ninety-nine," to strike out "and to grant him an honorable discharge therefrom as of date" and insert "to;" and after the words "ninety-nine," in line 11, to insert the words "and to have been honorably discharged of said last date;" so as to make the bill read:

*Be it enacted, etc.,* That Paul Crum, of the city of Fargo, State of North Dakota, shall be held and considered to have served as a private, Company B, First Regiment North Dakota Volunteer Infantry, in the war with Spain, from February 3, 1899, to March 28, 1899, and to have been honorably discharged of said last date.

The amendments were agreed to.



The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ROBERT A. PINN.

The bill (H. R. 9819) granting an increase of pension to Robert A. Pinn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert A. Pinn, late of Company I, Fifth Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$45 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILTON BROWN.

The bill (H. R. 12855) granting an increase of pension to Milton Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Milton Brown, late of Company A, Fourth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RACHEL S. LYMAN.

The bill (H. R. 8913) granting an increase of pension to Rachel S. Lyman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rachel S. Lyman, widow of Joseph Lyman, late major Twenty-ninth Regiment Iowa Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELVIN A. ESTY.

The bill (H. R. 10396) granting an increase of pension to Elvin A. Esty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elvin A. Esty, late of Company C, Fourth Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HANNIBAL C. ST. CLAIR.

The bill (H. R. 8016) granting an increase of pension to Hannibal C. St. Clair was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hannibal C. Saint Clair, late first lieutenant Company G, Thirty-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL MARNANE.

The bill (H. R. 1479) granting an increase of pension to Michael Marnane was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Marnane, late of Company G, Fifty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. BURKET.

The bill (H. R. 10122) granting an increase of pension to John S. Burket was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Burket, late of Company K, Twenty-ninth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES C. G. SMITH.

The bill (H. R. 3756) granting an increase of pension to James C. G. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James C. G. Smith, late of Company D, Fortieth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY SHELTON HUSTON.

The bill (H. R. 4993) granting a pension to Mary Shelton Huston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Shelton Huston,

late an Army nurse in the Medical Department, United States Volunteers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY G. ROGERS.

The bill (S. 1471) for the relief of Henry G. Rogers was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 3, after the word "That," to strike out "the provisions and benefits granted by a certain act entitled 'An act to provide for the relief of certain officers and enlisted men of the volunteer forces,' approved February 24, 1897, are hereby extended and made to apply to;" in line 9, after the word "Infantry," to strike out "the same as though his commission as second lieutenant had borne date prior to June 20, 1863," and to insert "shall be held and considered commissioned a second lieutenant in said regiment from January 2, 1864, with rank from November 25, 1863, and to have been discharged as such lieutenant January 27, 1864;" so as to make the bill read:

*Be it enacted, etc.,* That Henry G. Rogers, late first sergeant of Company B, Twenty-fourth Wisconsin Volunteer Infantry, shall be held and considered commissioned a second lieutenant in said regiment from January 2, 1864, with rank from November 25, 1863, and to have been discharged as such lieutenant January 27, 1864: *Provided,* That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CALEB W. STORY.

The bill (H. R. 12145) granting an increase of pension to Caleb W. Story was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caleb W. Story, late of Company G, Tenth Regiment New York Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. WERTZ.

The bill (H. R. 11920) granting an increase of pension to George W. Wertz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Wertz, late of Company A, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. RIGHTMIRE.

The bill (H. R. 12899) granting an increase of pension to William H. Rightmire was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Rightmire, late of Company K, Twenty-eighth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM MATTHEWS.

The bill (H. R. 2486) granting an increase of pension to William Matthews was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Matthews, late of Company B, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE D. H. KRAUSE.

The bill (H. R. 11181) granting a pension to Alice D. H. Krause was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice D. H. Krause, widow of William Krause, late captain, Third Regiment United States Infantry, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH P. SIGFRIED.

The bill (H. R. 5217) granting an increase of pension to Elizabeth P. Sigfried was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth P. Sigfried, widow of Joshua K. Sigfried, late colonel Forty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.



## WILLIAM T. HAMILTON.

The bill (H. R. 11117) granting an increase of pension to William T. Hamilton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Hamilton, late of Company E, Twelfth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JACOB WEIDEL.

The bill (H. R. 8788) granting an increase of pension to Jacob Weidel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Weidel, late of Company K, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JAMES T. STEELE.

The bill (H. R. 10496) granting a pension to James T. Steele was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James T. Steele, late of the Hospital Corps, United States Army, war with Spain, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CALEB C. BRIGGS.

The bill (H. R. 11665) granting an increase of pension to Caleb C. Briggs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caleb C. Briggs, late assistant surgeon, One hundred and fifty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CHARLES M. MONTGOMERY.

The bill (H. R. 11783) granting an increase of pension to Charles M. Montgomery was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles M. Montgomery, late of Company G, Eighteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN G. SANDERS.

The bill (H. R. 5600) granting an increase of pension to John G. Sanders was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John G. Sanders, late of Company B, Eighteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ERMA G. HARVEY.

The bill (H. R. 1681) granting a pension to Erma G. Harvey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Erma G. Harvey, the helpless and dependent daughter of John C. Harvey, late of Company A, Eleventh Regiment New Hampshire Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## WILLIAM BLANCHARD.

The bill (H. R. 13499) granting an increase of pension to William Blanchard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Blanchard, late of Company D, Sixth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## BERNARD M'CORMICK.

The bill (H. R. 12713) granting an increase of pension to Bernard McCormick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bernard McCormick, late of Company C, Thirty-second Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## EDGAR T. DANIELS.

The bill (H. R. 12015) granting an increase of pension to Edgar T. Daniels was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edgar T. Daniels, late of Company C, Twelfth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY J. FITCH.

The bill (H. R. 6434) granting a pension to Mary J. Fitch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary J. Fitch, widow of Seeley J. Fitch, late of Company D, Second Regiment United States Artillery, and to pay her a pension of \$12 per month and \$3 per month additional on account of each of the minor children of said Seeley J. Fitch until they reach the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ELIZABETH M'DONALD.

The bill (H. R. 12788) granting a pension to Elizabeth McDonald was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth McDonald, the helpless and dependent daughter of John McDonald, late of Company I, Fifth Regiment Connecticut Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ANN E. AUSTIN.

The bill (H. R. 6645) granting an increase of pension to Ann E. Austin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ann E. Austin, widow of Joseph O. Austin, late of Company F, Twelfth Regiment Rhode Island Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ALBION P. STILES.

The bill (H. R. 11662) granting an increase of pension to Albion P. Stiles was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albion P. Stiles, late of Company H, Seventeenth Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## WILLIAM H. WOOD.

The bill (H. R. 6441) granting an increase of pension to William H. Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Wood, late of the United States steamships *Santee* and *Marion*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY FLORENCE VON STEINWEHR.

The bill (S. 1184) granting a pension to Mary Florence Von Steinwehr was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Florence Von Steinwehr, widow of Adolph Von Steinwehr, late brigadier-general, United States Volunteers, and pay her a pension at the rate of \$30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## STEPHEN A. SEAVEY.

The bill (S. 4790) directing payment of pension to Stephen A. Seavey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen A. Seavey, late of Company C, Twelfth Maine Volunteer Infantry, and pay him a pension at the rate of \$12 per month, the same to be paid to him without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was agreed to.



The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Stephen A. Seavey."

HORACE L. RICHARDSON.

The bill (S. 5106) granting an increase of pension to Horace L. Richardson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horace L. Richardson, late of Company C, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CYNTHIA J. SHATTUCK.

The bill (S. 5424) granting an increase of pension to Cynthia J. Shattuck was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "captain," to strike out "of;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cynthia J. Shattuck, widow of George F. Shattuck, late captain Company B, Sixth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISABELLA H. THOMPSON.

The bill (H. R. 13416) granting an increase of pension to Isabella H. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isabella H. Thompson, widow of Francis W. Thompson, late lieutenant-colonel Third Regiment West Virginia Volunteer Infantry and Sixth Regiment West Virginia Volunteer Cavalry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALVIN J. HARTZELL.

The bill (H. R. 5190) granting an increase of pension to Alvin J. Hartzell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alvin J. Hartzell, late of Company K, One hundred and twenty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ERWIN A. BURKE.

The bill (H. R. 12552) granting a pension to Erwin A. Burke, alias B. A. Erwin, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Erwin A. Burke, alias Burt A. Erwin, late ordinary seaman, United States Navy, war with Spain.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Erwin A. Burke, alias Burt A. Erwin."

WARREN W. H. LAWRENCE.

The bill (H. R. 2120) granting an increase of pension to Warren W. H. Lawrence was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Warren W. H. Lawrence, late captain and assistant adjutant-general, United States Volunteers, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM HOLDRIDGE.

The bill (H. R. 5183) granting an increase of pension to William Holdridge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Holdridge, late of Company A, One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

Mr. COCKRELL. According to the Calendar, the bill now

under consideration and the previous bill were each reported with an amendment.

The PRESIDENT pro tempore. It does not so appear in either print of the bill.

Mr. GALLINGER. Both bills are correct in the way they stand. It is undoubtedly a misprint of the Calendar that either of the bills was reported with an amendment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JESSE H. HUBBARD.

The bill (S. 3888) granting a pension to Jesse H. Hubbard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to insert "second," and in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse H. Hubbard, late second lieutenant Company H, Eleventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension of Jesse H. Hubbard."

FRANCES J. ABERCROMBIE.

The bill (H. R. 3277) granting a pension to Frances J. Abercrombie was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances J. Abercrombie, widow of Abner Abercrombie, late of Captain Ashurt's company, Alabama Volunteers, Creek Indian war, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTHEW V. ELLIS.

The bill (H. R. 8351) granting a pension to Matthew V. Ellis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matthew V. Ellis, late of Captain Townsend's company, Georgia Volunteers, Cherokee Indian disturbance, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HOUSIAUX.

The bill (S. 712) granting a pension to John Housiaux was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Fifth," to insert "Regiment;" in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" and in the same line, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Housiaux, late of Company K, Fifth Regiment United States Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John Housiaux."

JAMES W. LEWIS.

The bill (H. R. 8007) granting an increase of pension to James W. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to insert "war with Mexico;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Lewis, late of Company K, First Regiment Illinois Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.



OLIVER KERR.

The bill (H. R. 7840) granting an increase of pension to Oliver Kerr was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "and," to strike out "to;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oliver Kerr, late of Company M, Ninth Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. GALLINGER. Let that amendment be disagreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STANLEY M. CASPAR.

The bill (S. 3506) granting an increase of pension to Stanley M. Caspar was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stanley M. Caspar, late of Company D, First Battalion, and Company H, Second Battalion, Eighteenth Regiment United States Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Stanley M. Caspar."

ANNA MAY HOGAN.

The bill (S. 4710) granting a pension to Anna May Hogan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventeen" and insert "eight;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna May Hogan, widow of John Hogan, late of Company C, Thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAYTON P. VAN HOUTEN.

The bill (S. 5506) granting an increase of pension to Clayton P. Van Houten was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" and in line 7, after the word "Infantry," to insert "war with Spain;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clayton P. Van Houten, late captain Company D, First Regiment South Dakota Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES W. ROATH.

The bill (H. R. 2436) granting an increase of pension to James W. Roath was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Roath,

late of Company I, First Regiment Minnesota Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGNES CLARK.

The bill (H. R. 12239) granting an increase of pension to Agnes Clark was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Agnes Clark, widow of Henry C. Clark, late of Company B, Sixteenth Regiment United States Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH F. BALDWIN.

The bill (S. 2697) granting an increase of pension to Sarah F. Baldwin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah F. Baldwin, widow of William O. Baldwin, late surgeon Second Regiment District of Columbia Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISAAC RHODES.

The bill (S. 4727) granting an increase of pension to Isaac Rhodes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac Rhodes, late of Company B, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN FLER.

The bill (S. 4982) granting an increase of pension to John Fler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "musician," to insert "late;" in the same line, before the word "Twenty-seventh," to strike out "late of;" and in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Fler, late musician, Twenty-seventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. That completes the Calendar of pension cases. The Calendar, under Rule VIII, is now before the Senate. The bill before the Senate when the Calendar under Rule VIII was last under consideration will be stated.

HOWARD LODGE, NO. 13, I. O. O. F.

The bill (S. 92) for the relief of Howard Lodge, No. 13, I. O. O. F., of Gallatin, Tenn., was announced as first in order; and the Senate, as in Committee of the Whole, resumed its consideration.

The PRESIDENT pro tempore. The bill was read in full when heretofore under consideration.

Mr. PLATT of Connecticut. I do not know that I wish to object seriously to the passage of this bill, but the report, as I remember it, does not carry the impression that there has been any very careful appraisal of the damages which this lodge is said to have sustained. I think that is perhaps the objection—

Mr. BATE. If the Senator will allow me to make an observation, I will state that through a mistake of the Senator who had the bill in charge the testimony in the case does not appear in the report; it has not been printed. But since that time the testimony has been brought here, and it is as convincing and clear as anything can be. Senators who heretofore objected to the passage of the bill have withdrawn their objections when I showed them the testimony.

Mr. PLATT of Connecticut. All I want to say is that when the report was read in the Senate it did not seem that there had been any careful examination of the matter or any careful appraisal of the damages. If the Senator from Tennessee has since furnished the information, that removes the objection which was in my mind.

Mr. BATE. I have done so.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BATE. I ask that the testimony in connection with the bill which has just been passed may be printed so that it may go to the House of Representatives.

The PRESIDENT pro tempore. Does the Senator desire the testimony to which he refers to be printed in the RECORD or as a document?



Mr. BATE. I desire to have it printed in the RECORD.  
The PRESIDENT pro tempore. The testimony referred to will be printed in the RECORD, in the absence of objection.

Mr. BATE. It should have been printed before, but owing to an oversight it was not, and that has delayed the passage of the bill. The testimony referred to is as follows:

STATE OF TENNESSEE, Sumner County, ss:

Came before me, George W. Boddie, notary public in and for said county and State, W. C. Blue, who made oath in due form of law that he is now 73 years of age; that he resided at Gallatin, Tenn., during the civil war; that he was then a member of Howard Lodge, No. 13, I. O. O. F., and that he was well acquainted with the property of said lodge destroyed by the Federal Army during the said war. He has had read over to him the report made to said lodge by a committee composed of C. E. Boddie, B. F. Allen, and J. T. Mills, and has read over the same himself and is familiar with the contents therein contained, and assisted the said committee in making up the said report, and knows that the facts stated therein are true and the valuation put upon said articles is reasonable.

The buildings and grounds were taken possession of by the Federal officials as a hospital, and were so used by them from November, 1862, to August 1, 1865. The privies and outbuildings were destroyed by order of said officials, and the material used in building small outhouses where smallpox patients were kept. Gallatin was a military post and occupied by the Federal armies from November, 1862, to the end of the war without any intermission. I here make copy of said report an exhibit to this my affidavit, marked "Exhibit A." I knew the signers of said report and also S. Hermans and T. C. Trimble and the two Wrights, who signed the said report and indorsed the same. They were all loyal men. Hermans was county judge; Trimble, agent of Freedman's Bureau, and G. B. Wright was postmaster. They also used the storehouses and lodge rooms as hospitals, and during the occupancy the property as set forth in Exhibit A was destroyed and damaged.

This property was taken by command of the Federal officers in command of the post here. The storehouse was a three-story brick house with two storehouses below on the first floor, and a public hall or hall used for public purposes on the second story, and a lodge room or rooms on the third story. I was warden of the lodge and had charge of the regalia and lodge property and knew value of said regalia and lodge property, and the value placed upon the same in said report "Exhibit A" is reasonable.

My business was a house carpenter and builder, and I know that the values placed upon the buildings damaged and destroyed is reasonable.

Sworn to and subscribed before me April 2, 1898.

[SEAL.]

GEO. W. BODDIE, Notary Public.

Exhibit A to W. C. Blue's affidavit.

To Howard Lodge, No. 13, I. O. O. F.:

We, the committee appointed by Howard Lodge to ascertain the value of the property belonging to the said lodge which was taken by the armies of the United States, beg leave to submit the following report:

We find the Howard Lodge Institute, an educational institution owned by the lodge, has sustained the following losses, viz:

40 double desks, at \$10	400
3 blackboards, at \$10	30
2 large brick privies, at \$200	400
1 hothouse, brick and glass	300
Lumber fencing	150
Stable and shed	150
1 round center table	20
6 small tables	30
6 coal grates, at \$10	60
Plastering and papering	300
1 large stove	30
Rent of building occupied by the Medical Department of the United States Army for hospital purposes from November, 1862, until August 1, 1865, 33 months, at \$100	3,300
Total	5,170

The Odd Fellows' Hall property, owned by Howard Lodge, has sustained the following losses:

1 room fitted up for dry-goods stores—counters, shelving, drawers, and desks all removed on the first floor, value	300
1 room fitted up for drug store—counters, shelving, desks, drawers, all removed on first floor, value	400
1 pair window shutters	10
1 transom light	4
1 stove and pipe	25
6 oilcloth window shades	24
6 windows, glass and sash damaged	25
Papering on wall damaged	40

The lodge room has sustained the following losses, viz:

1 bookcase	20
48 office chairs, at \$5	240
1 large desk	50
Lodge regalia and emblems	200
8 window shades, at \$5	40
Window sash and glass	100
2 tables	10
8 door locks	30
Damage to plastering, papering, etc	200
Stoves, washstands, buckets, etc	50

Bethel Encampment, No. 9, Independent Order of Odd Fellows, has sustained losses as follows, viz:

All of the camp regalia, tents, crooks, jewels, and furniture

Total amount of damages sustained

The most of the damages sustained by the hall property and lodge room resulted from the action of the following regiments: Eleventh Michigan Volunteer Infantry, Sixty-ninth Ohio Volunteer Infantry, Ninth Indiana Volunteer Infantry. These losses were sustained between August, 1862, and August, 1865.

C. E. BODDIE,  
B. F. ALLEN,  
J. T. MILLS,  
Committee.

STATE OF TENNESSEE, Sumner County:

I, S. Hermans, judge of the county court of said county, do hereby certify that I am personally acquainted with C. E. Boddie, B. F. Allen, and J. T. Mills, the committee whose names appear to the foregoing assessment of damages of the property herein stated; that they are gentlemen of good

character and standing and their statements are entitled to full credit; also, that I am acquainted with the circumstances and condition of the property as stated, and believe them true.

In witness I have herewith set my hand and fixed the seal of the county court this 8th day of January, 1898.

[SEAL.]

S. HERMANS, County Judge.

We fully concur with the statements of Judge Hermans, as we know the parties and are familiar with the facts as stated.

T. C. TRIMBLE, Superintendent F. M. B.  
WILLIAM WRIGHT,  
G. B. WRIGHT, Postmaster, F. M. B.

STATE OF TENNESSEE, Sumner County, ss:

Thomas H. King, being first duly sworn, states: I am 50 years of age; I was born and reared near Gallatin, Tenn., and have lived here all my life except two years. I was here in Gallatin during the war. I know the property belonging to Howard Lodge, No. 13, known as Howard Female Institute. It was fitted up as a female college and boarding school; the grounds elegantly laid off and planted in shrubbery and well set in grass, with suitable fence around them; there were two brick privies, a hothouse, a stable, and shed. The buildings and grounds were taken possession of by the Federals and used as a hospital from the time of Bragg's retreat from Kentucky till the close of the war. The outbuildings set forth above were entirely destroyed, and the materials used by the Federal Army in making fortifications and other purposes. When they left it or ceased to use it, in 1865, there was nothing left but the bare walls of the college building.

I knew the storehouse, hall, and lodge rooms belonging to the lodge. It was a three-story building, fitted up for storerooms below, a hall on the second story, and the third story was used for lodge rooms. The Federal officers took possession of this building also for hospital purposes and as a storehouse for hospital supplies and occupied it till the close of the war. I was in business in Gallatin during the war as a clerk.

Howard Female College was well furnished and equipped as a female college and boarding school, with all necessary apparatus and furniture, and all this was destroyed.

The town of Gallatin was a military post, with military commanders here from Bragg's retreat till the end of the war. The commanders were General Fry, Gen. E. A. Payne, Colonel Leib, Col. James Gillfillan and Colonel Frudenburg. There were over 2,000 Federals died in the various hospitals in Gallatin during the war.

THOS. H. KING.

Sworn to and subscribed before me April 2, 1898.

[SEAL.]

GEO. W. BODDIE, Notary Public.

STATE OF TENNESSEE, Sumner County, ss:

Came before me, George W. Boddie, notary public in and for said State and county, G. B. Wright, who, being first duly sworn, states: I am the G. B. Wright who signed the proof of loss or damage done to Howard Female College by the Federal troops from 1862 to 1865. I knew the committee making the said report; they were all men of judgment, experience, and integrity, and their statements are entitled to as much credit as the statements of any three men who ever lived in our community. Before the Federals took charge of the college property I lived on the adjoining place and knew the condition of the buildings and grounds; they were in first-rate condition.

The grounds were beautifully laid off and planted in flowers and shrubbery and well set in blue grass. The building was well furnished and equipped for a female college, both the school department and the boarding department. There were two brick privies, one hothouse, one stable and shed on the grounds when the Federal troops took possession of the property as a hospital. They destroyed and removed these, using the brick and lumber in the construction of fortifications, camps, and chimneys. There was a good fence around the grounds, in keeping with the character of the grounds and buildings, and this was all torn away. All the furniture was destroyed, papering and plastering torn off and defaced, and the entire premises badly damaged. The house was occupied by the Federals as a hospital from November, 1862, till some time in the summer of 1865.

Of the committee who made the report as to damages of the college and lodge property, C. E. Boddie is dead, B. F. Allen still lives here, and Mr. Mills lives in the North somewhere. He was a Northern man and a Union man during the war. Judge Hermans is dead, T. C. Trimble is dead, and William Wright is dead. They were all Union men. I was postmaster here for several years during and after the war. Mr. Trimble was superintendent of the Freedman's Bureau and Judge Hermans was county judge.

G. B. WRIGHT.

Sworn to and subscribed before me April 2, 1898.

[SEAL.]

GEO. W. BODDIE, Notary Public.

STATE OF TENNESSEE, Sumner County, ss:

Came before me, George W. Boddie, notary public in and for said county and State, W. F. Holder, who, being first duly sworn, states:

I am now 76 years of age; I live in Gallatin, and was living here before and during the war of the rebellion. I was and am still a member of Howard Lodge, No. 13, I. O. O. F. Howard Female Institute was the property of and conducted as a female college of a high grade by said lodge. I knew the property well; it was situated on East Main street and was the most beautiful property about the town. It was well laid off and planted in shrubbery and well set in blue grass. The building was a large brick building, well furnished for a female school of high grade and for a boarding school. The property was worth twenty or twenty-five thousand dollars. The Federals took possession of the property and used it for a hospital for some three years. They destroyed all the outhouses, all the furniture, the fencing and shrubbery and grass, leaving nothing but the shell of the building.

I knew the storehouse, hall, and lodge rooms belonging to the lodge, and which were occupied by the Federals as a hospital and supply store for hospital supplies. They occupied the same and used it for about the same length of time they did the college property. I have read over "Exhibit A" to W. C. Blue's affidavit, and am acquainted with the facts therein stated. I indorse the same with the valuations therein placed with the exception I think they are too low.

Howard Lodge has never derived any income from Howard Female Institute. The members of the lodge pay tuition and board and incidental fees just like the other patrons of the school, the exception that orphan children of deceased Odd Fellows receive their education free.

W. F. HOLDER.

Sworn to and subscribed before me April 7, 1898.

[SEAL.]

GEO. W. BODDIE, Notary Public.

CHARTER OF HOWARD FEMALE INSTITUTE.

An act to incorporate the Howard Female Institute, etc.

SEC. 21. Be it enacted, That the Howard Female Institute, under the patronage of Howard Lodge, No. 13, I. O. O. F., situated in Gallatin, Sumner



County, Tenn., be, and the same is hereby, constituted a corporate institution, with power to sue and be sued and to use a corporate seal.

SEC. 22. *Be it enacted*, That said institution shall be governed by Howard Lodge, No. 13, I. O. O. F., of Gallatin, Sumner County, Tenn., which lodge shall constitute the board of trustees of Howard Institute, shall be the proprietors of all property belonging to, or that shall belong to, said institution, and shall make and put into execution such laws for governing and conducting said institution as shall to them appear necessary.

SEC. 23. *Be it enacted*, That no alterations or amendments shall be made in the laws of this institution unless proposed in writing, read two successive meetings before the lodge, and sustained by a vote of three-fourths of the members present.

SEC. 24. *Be it enacted*, That the lodge shall elect a board of visitors, of their own body, in whom the executive government of this institution shall be vested. This board of visitors shall consist of six and shall continue in office one year from the day of their election, when they shall be reelected by the lodge or others in their place. The president of the school shall be the president of the board of visitors, three of whom shall constitute a quorum to transact business.

SEC. 25. *Be it enacted*, That the board of visitors shall have full power to confer degrees and grant diplomas usually granted and conferred by first-rate female institutions to such of its pupils as may be adjudged worthy, which shall be signed by the officers of the lodge, the board of visitors, and the president of the institute; and shall have such powers and perform such other duties as may from time to time be imposed by the lodge. They shall have power to fix their own meetings, elect their own secretary and treasurer, attend the examination, and publish annually a report of the progress of the institution, give the names of the officers and number of students, and anything they may deem necessary to promote the cause of education.

NEIL S. BROWN,  
Speaker of the House of Representatives.  
EDWARD S. CHEATHAM,  
Speaker of the Senate.

Copied from laws of Tennessee, 1855-56, chapter 192, sections 21, 22, 23, 24, and 25.

A true copy.  
Attest:

GEO. W. BODDIE, Notary Public.

MRS. MARTHA E. WEST.

The bill (S. 136) for the relief of Mrs. Martha E. West was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay \$1,500 in full to Mrs. Martha E. West, of Stevensville, Mont., for mill property of her father, the late Mathew Wright, taken and appropriated by troops of the United States in 1865, in the Sioux Indian war of Minnesota.

Mr. SPOONER. That is a short bill and I ask that it be reported.

The PRESIDENT pro tempore. The bill will be again read.

The Secretary again read the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### JURORS' FEES IN UNITED STATES COURTS.

Mr. WARREN. Mr. President, my attention was turned in another direction for a moment, and I wish to ask if Order of Business 1244, being the Senate bill 4769, has been passed over?

The PRESIDENT pro tempore. The bill was passed over without prejudice at the last call of the Calendar.

Mr. WARREN. I ask unanimous consent that the bill may be considered and acted upon at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4769) to fix the fees of jurors in the United States courts. It provides that the per diem pay of each juror, grand or petit, in any court of the United States, shall be \$3 a day instead of \$2 a day as now provided by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN S. MOSBY.

Mr. DANIEL. I ask unanimous consent for the present consideration of the bill (S. 5460) to refer the claim of John S. Mosby against the United States for the value of certain tobacco to the Court of Claims.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the claim of John S. Mosby for the value of 7,900 pounds, more or less, of tobacco mentioned in an official paper dated at Rocketts Landing, Richmond, Va., July 27, 1865, signed "W. H. D. Cochran, major, depot quartermaster," and purporting to give a "list of captured tobacco marked in the name of Col. J. S. Mosby, transferred to Col. J. S. Loomis, Treasury agent, June 7, 1865," be referred to the Court of Claims, with full jurisdiction to try and adjudicate the claim and render judgment against the United States in such sum as may be found just by said court, without the interposition in behalf of the Government of any bar arising from the existing statutes of limitations. Right of appeal to the Supreme Court of the United States is expressly reserved to the Government and to the claimant. But it is provided that any portions of the sum representing tobacco beneficially belonging to the father, sister, or other relatives of said Mosby shall be held in trust by him accordingly.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. PERMELIA J. GETTY, ADMINISTRATRIX.

The bill (S. 576) for the relief of Mrs. P. J. Getty, administratrix, was considered as in Committee of the Whole. It proposes

to pay \$700 to Mrs. Permelia J. Getty, of Stearns County, Minn., for property of the late Jerome J. Getty, destroyed by troops of the United States in 1864, in the Sioux Indian war of Minnesota.

Mr. GALLINGER. In line 6 let the word "administratrix" be inserted after the name "Getty."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. Let the title be amended so as to read "Mrs. Permelia J. Getty," in order that it may correspond with the text of the bill.

The title was amended so as to read: "A bill for the relief of Mrs. Permelia J. Getty, administratrix."

MICHAEL HAYES.

Mr. MARTIN. I should like to have the bill (H. R. 6847) to correct the record of Michael Hayes recommitted to the Committee on Military Affairs. I have some affidavits that were not before the committee which I should like to have them see. I move that the bill be recommitted to the Committee on Military Affairs.

Mr. BATE. There is an adverse report in the case.

The PRESIDENT pro tempore. There is an adverse report in the case. The question is on agreeing to the motion of the Senator from Virginia that the bill be recommitted to the Committee on Military Affairs.

The motion was agreed to.

FRANK F. FLOURNOY.

The bill (S. 1874) for the relief of Frank F. Flournoy was considered as in Committee of the Whole. It proposes to pay to Frank F. Flournoy \$77.60, in full of his claim for balance due him as United States deputy surveyor, for completing the survey of public lands in township 5 north, range 28 west, San Bernardino base and meridian.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM J. SMITH AND D. M. WISDOM.

The bill (S. 111) for the relief of William J. Smith and D. M. Wisdom was considered as in Committee of the Whole. It proposes to release William J. Smith and D. M. Wisdom from all liability incident to the forfeiture and judgment upon a certain bond in the penal sum of \$3,000 with said William J. Smith and D. M. Wisdom as sureties, conditioned that R. M. Thompson appear at the term of the United States circuit court for the western district of Tennessee, begun on the fourth Monday in October, 1885.

Mr. GALLINGER. Let the report in the case be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. MARTIN on the 24th ultimo, as follows:

The Committee on Claims, to whom was referred the bill (S. 111) for the relief of W. J. Smith and D. M. Wisdom, beg leave to make the following report:

A duly certified copy of the records of the United States district court for the eastern division of the western district of Tennessee shows that at the April term, 1885, one Robert M. Thompson was convicted of violating section 5485 of the Revised Statutes of the United States; that after conviction the court allowed said Thompson his liberty upon his giving bond in the sum of \$3,000 for appearance at the next term of the court for judgment and sentence; that on May 1, 1885, said bond was given by said Robert M. Thompson as principal and W. J. Smith and D. M. Wisdom as sureties; that for each succeeding term of said court said Thompson failed to appear in court, an alias capias was issued and returned unexecuted by the marshal for the reason that said Thompson could not be found in that district; that the matter was continued in said court from term to term until the April term, 1887, when a judgment was taken on said bond for \$3,035.76, principal and costs; that on September 22, 1887, the marshal for said district returned that he could find no personal property in his district belonging to said defendants, but that he had levied upon the property described in the bill (S. 111) as the property of said Smith; that on February 18, 1888, the property was struck off and sold to the United States for \$3,209.33, covering in full the principal, interest, and costs.

The affidavit of said Smith sets out that he expended a large sum of money in trying to apprehend said Thompson, and that he succeeded in 1888 in having him arrested; that in attempting to carry said Thompson back to Tennessee the detective brought said Thompson through the District of Columbia, where he was released upon a writ of habeas corpus, rearrested, and again released upon a similar writ.

Duly certified copies of the court records for the District of Columbia show that on June 4, 1888, said Thompson was released from custody upon the order of Justice M. V. Montgomery on the ground that the bond executed by said Thompson, Smith, and Wisdom was void, as there was no law by which bail could be taken for a convicted person to return to have judgment and sentence passed upon him; and that on June 9, 1888, said Thompson was again released from custody by order of Chief Justice E. F. Bingham, of the supreme court of the District of Columbia, for the same reason.

From and after the Forty-eighth Congress bills similar to the ones dealt with in this report have been introduced in both Houses of Congress, but it does not appear that any action has been taken upon any of them except one favorable report was made to the House of Representatives. (House Report No. 1480, first session Fifty-second Congress.)

It appearing from the proof in this case that the said Smith has done everything in his power to return the said Thompson in accordance with the terms of the said bond, and that he was only prevented from doing so by the fact that two of the justices of the United States courts for the District of Columbia separately released said Thompson upon writs of habeas corpus, your



committee is of the opinion that said Smith and Wisdom should be released from all liability incident to the forfeiture and judgment on said bond, and that said Smith should be restored to all his right, title, and interest in said property, and your committee earnestly recommend that the bill (S. 111) do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### AMENDMENT OF DISTRICT CODE.

The bill (S. 4408) to amend section 934 of an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, was considered as in Committee of the Whole. It proposes to amend the section so as to read as follows:

SEC. 934. Place of imprisonment.—When any person shall be sentenced to imprisonment for a term not exceeding six months, the court may direct that such imprisonment shall be either in the workhouse or in the jail. When any person is sentenced for a term longer than six months and not longer than one year, such imprisonment shall be in the jail, and where the sentence is imprisonment for more than one year it shall be in the penitentiary. Cumulative sentences, except such sentences as may be imposed by the police court, aggregating more than one year shall be deemed one sentence for the purposes of the foregoing provision. When the punishment of an offense may be imprisonment for more than one year, the prosecution shall be in the supreme court of the District. When the maximum punishment is imprisonment for one year or less, the prosecution may be in the police court.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LONGEVITY PAY OF ARMY OFFICERS.

The bill (S. 2341) to authorize the readjustment of the accounts of Army officers in certain cases, and for other purposes, was announced as the next business in order.

Mr. PLATT of Connecticut. The Senator who reported the bill is not present. It came from the Committee on Claims, but I am sure the Senator from Missouri [Mr. COCKRELL] knows all about these longevity cases. I wish he would state what is involved in this bill.

Mr. COCKRELL. Let the report be read.

Mr. WARREN. This is what is better known as the Army longevity-pay bill, and touches a subject which has been before Congress off and on, in and out, for a long time. It has been considered on the House side during the present session and favorably reported from committee; and it has also been favorably reported to the Senate from the Committee on Claims. It provides that the longevity accounts of officers shall go to the Court of Claims for adjustment.

Mr. ALLISON. Removing the statute of limitations?

Mr. WARREN. For the purpose of sending the cases to the Court of Claims, yes.

Mr. PLATT of Connecticut. What does it involve—the question of longevity pay for all officers in the Army, no matter how long they may have been in the Army?

Mr. WARREN. No; only those remaining unsettled. It is a matter which was thought to have been provided for by law—in fact, has been provided for—but the Comptroller has not felt that he could pay them. Several cases have been sent down to the Court of Claims and have been adjudicated. I suppose that is the reason why those who seek relief ask that the remaining cases may go to the Court of Claims, rather than that we should legislate directly that the Department should pay the accounts. The Court of Claims and the Supreme Court have both decided favorably upon claims sent them, but the Comptroller still declines to pay the unadjudicated claims.

Mr. PLATT of Connecticut. It seems to be a very important matter; the Calendar is not very full; we can get at the bill almost any morning, and I wish it might be passed over for the present.

Mr. WARREN. Mr. President, I think it is an important matter. It is true that it involves a good deal of money, but it is all legally and justly due, and I think the bill ought to be passed. I am entirely willing, however, that it shall remain on the Calendar without prejudice, to be taken up at some later time rather than have an objection take it back under Rule IX.

Mr. PLATT of Connecticut. I wish to look into it.

The PRESIDENT pro tempore. Without objection, the bill will be passed over, retaining its place on the Calendar.

#### SOUTHERN JUDICIAL DISTRICT OF WEST VIRGINIA.

The bill (S. 2276) to fix the time of holding the circuit and district courts for the southern district of West Virginia was considered as in Committee of the Whole. It proposes that the time of holding the regular terms of the circuit and district courts of the United States for the southern district of West Virginia shall be as follows:

At Huntington, the first Tuesday in April and the first Tuesday after the third Monday in September; at Bluefield, the first Tuesday in May and the third Tuesday in October; at Charleston, the first Tuesday in June and the third Tuesday in November.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### COMMUTATION OF HOMESTEAD ENTRIES.

The bill (H. R. 9037) to allow the commutation of homestead entries in certain cases was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and insert:

That homestead settlers upon the ceded portion of the Sioux Indian Reservation in South Dakota who made entry subsequent to March 3, 1889, shall be entitled to the provisions of the act entitled "An act to allow commutation of homestead entries in certain cases," approved January 26, 1901, and in commuting shall only be required to pay the price provided in the law under which original entry was made.

SEC. 2. That any person who, prior to the passage of an act entitled "An act providing for free homesteads on the public lands for actual and bona fide settlers, and reserving the public lands for that purpose," approved May 17, 1900, having made a homestead entry and perfected the same and acquired title to the land by final entry by having paid the price provided in the law opening the land to settlement, and who would have been entitled to the provisions of the act before cited had final entry not been made prior to the passage of said act, may make another homestead entry of not exceeding 100 acres of any of the public lands in any State or Territory subject to homestead entry: *Provided*, That any person desiring to make another entry under this act will be required to make affidavit, to be transmitted with the other filing papers now required by law, giving the description of the tract formerly entered, date and number of entry, and name of the land office where made, or other sufficient data to admit of readily identifying it on the official records: *And provided further*, That said person has all the other proper qualifications of a homestead entryman: *And provided also*, That commutation under section 2301 of the Revised Statutes, or any amendment thereto, or any similar statute, shall not be permitted of an entry made under this act, excepting where the final proof, submitted on the former entry hereinbefore described, shows a residence upon the land covered thereby for the full period of five years, or such term of residence thereon as added to any properly credited military or naval service shall equal such period of five years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to allow the commutation of and second homestead entries in certain cases."

#### HEIRS OF WILLIAM TINDER, DECEASED.

The bill (S. 3209) for the relief of the heirs of William Tinder, deceased, was announced as the next business in order on the Calendar.

Mr. PLATT of Connecticut. The bill has been adversely reported.

The PRESIDENT pro tempore. It might as well go to the Calendar under Rule IX.

Mr. PLATT of Connecticut. Yes; let it go to the Calendar under Rule IX.

The PRESIDENT pro tempore. Being objected to, the bill will go to the Calendar under Rule IX.

#### ELISHA A. GOODWIN, EXECUTOR.

The bill (S. 1672) for the relief of Elisha A. Goodwin, executor of the estate of Alexander W. Goodwin, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue duplicates to Elisha A. Goodwin, executor of the estate of Alexander W. Goodwin, late of Vaneboro, Me., in lieu of United States 4 per cent registered bonds, funded loan of 1907, acts of Congress approved July 14, 1870, and January 20, 1871, Nos. 71011 to 71018, inclusive, of the denomination of \$100 each, amounting to \$800, said bonds alleged to have been lost or stolen.

Also to issue to the said Elisha A. Goodwin duplicates in lieu of United States 4 per cent coupon bonds of the funded loan of 1907, acts of Congress approved July 14, 1870, and January 20, 1871, Nos. 148353 and 148357 of the denomination of \$1,000 each; 56961 to 56963, inclusive, of the denomination of \$500 each; 66681 and 66829, 168768 to 168787, inclusive, of the denomination of \$100, amounting to \$7,300: *Provided*, That the said Elisha A. Goodwin shall first file in the Treasury a bond in a penal sum equal to the amount of the missing registered bonds and the interest that would accrue thereon until the same shall become due or payable; and a bond in a penal sum equal to double the amount of the missing coupon bonds and the interest that would accrue thereon until the same shall become due or payable, with good and sufficient sureties to be approved by the Secretary of the Treasury, with conditions to indemnify and save harmless the United States from any claim on account of the said lost or stolen bonds.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### SOUTHERN RAILWAY COMPANY.

The bill (S. 3237) to grant jurisdiction and authority to the Court of Claims in the case of *Southern Railway Lighter No. 10*, her cargoes, etc., was considered as in Committee of the Whole.

Mr. PLATT of Connecticut. I move to insert at the end of the bill the words "and without contributory negligence on the part of the claimants."



The proviso is:

That no judgment shall be rendered against the Government unless it shall affirmatively appear from the evidence adduced that such collision was the result of negligence on the part of the United States or its agents.

I wish to add to it:

And without contributory negligence on the part of the claimants.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MEMPHIS-CHATTANOOGA RAILWAY.

The bill (H. R. 13288) to authorize the construction of a bridge across the Tennessee River in Marion County, Tenn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PRISCILLA R. BURNS.

The bill (S. 4517) for the relief of Priscilla R. Burns was announced as next in order.

Mr. GALLINGER. Let the bill go over, retaining its place.

Mr. WARREN. What did I understand the Senator from New Hampshire to say? Does he ask that the bill be passed over without prejudice?

Mr. GALLINGER. Yes; that was the request.

The PRESIDENT pro tempore. The bill will go over without prejudice.

#### CIVIL APPOINTMENTS OF EX ARMY AND NAVY OFFICERS.

The bill (S. 3310) to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex-Army and Navy officers, was read.

The PRESIDENT pro tempore. The first amendment reported by the Committee to Examine the Several Branches of the Civil Service will be stated.

Mr. PLATT of Connecticut. Mr. President, I wish there might be some explanation of the bill. On the face of it the amendments change the nature and meaning of the bill as originally introduced. By the bill as introduced it was provided that these soldiers and sailors are to be preferred in appointments if they have the business capacity necessary. By an amendment of the committee they are only to be preferred if they possess equal qualifications with their competitors. It seems to me that that will practically bar them out entirely, for the reason that other competitors for these offices will be younger and more energetic, and the comparison will be made between the older and perhaps less efficient soldier and the younger and more efficient applicant. In every case that will be to the disadvantage of the soldier and the sailor, as it seems to me upon a cursory reading of the amendment.

As originally introduced by the Senator from Ohio [Mr. FORAKER] the condition was that they should possess the necessary business capacity, not that they should be equal in that respect to any other person who might apply for the office. I wish there might be an explanation on the part of the Senator who reported the bill.

Mr. CLAPP. I have not been able to hear anything the Senator from Connecticut has said. This is a bill which was prepared and introduced by the Senator from Ohio [Mr. FORAKER], and I suggest, if there is any objection to it, that it be passed over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over, retaining its place.

#### AGREEMENT WITH INDIANS OF KLAMATH RESERVATION.

The bill (S. 1988) to ratify an agreement with the Indians of the Klamath Indian Reservation in Oregon, and making appropriations to carry the same into effect, was announced as next in order.

Mr. PLATT of Connecticut. Let the bill go over.

The PRESIDENT pro tempore. Without prejudice?

Mr. CLAPP. Certainly.

The PRESIDENT pro tempore. The bill will go over without prejudice, retaining its place.

Mr. PLATT of Connecticut subsequently said: I withdraw my objection to Senate bill 1988, which was just passed over.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, reading third time, and passed.

The preamble was agreed to.

#### M. L. COBB.

The bill (S. 3748) for the relief of M. L. Cobb, administrator of W. W. Cobb, deceased, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, to insert at the end of the bill the following:

The same being the amount of salary for the unexpired part of the current year in which the said W. W. Cobb, who was consul of the United States at Colon, Colombia, departed this life.

So as to make the bill read:

That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to M. L. Cobb, administrator of W. W. Cobb, deceased, the sum of \$1,755.49, out of any money in the Treasury not otherwise appropriated, the same being the amount of salary for the unexpired part of the current year in which the said W. W. Cobb, who was consul of the United States at Colon, Colombia, departed this life.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. SPOONER. What committee does the bill come from?

Mr. GALLINGER. The Committee on Claims.

The PRESIDENT pro tempore. It was reported by the Senator from Virginia [Mr. MARTIN] from the Committee on Claims.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 5th instant approved and signed the following acts:

An act (S. 234) granting an increase of pension to James Frey;

An act (S. 319) granting a pension to Ida M. Warren;

An act (S. 324) granting an increase of pension to Nellie Loucks;

An act (S. 694) granting a pension to Jane Caton;

An act (S. 899) granting an increase of pension to George F. Bowers;

An act (S. 1363) granting an increase of pension to James A. McKeehan;

An act (S. 1625) granting an increase of pension to Jethro M. Getman, alias James M. Getman;

An act (S. 1629) granting an increase of pension to James W. Humphrey;

An act (S. 1638) granting a pension to John R. Homer Scott;

An act (S. 1643) granting an increase of pension to Ellen J. Clark;

An act (S. 1814) granting an increase of pension to Anna E. Luke;

An act (S. 2305) granting an increase of pension to Lemuel Grove;

An act (S. 2346) granting a pension to Amanda C. Bayliss;

An act (S. 2455) granting an increase of pension to Genevieve Almira Sprigg Ludlow;

An act (S. 2738) granting an increase of pension to James W. Hankins;

An act (S. 2805) granting an increase of pension to Anna L. Cory;

An act (S. 2943) granting an increase of pension to Thomas S. Rowan;

An act (S. 2971) granting an increase of pension to Silas D. Strong;

An act (S. 3108) granting an increase of pension to Ivey E. Perrine;

An act (S. 3217) granting an increase of pension to Charles Dixon;

An act (S. 3252) granting an increase of pension to Jesse W. Bice;

An act (S. 3321) granting a pension to Patrick J. Murphy;

An act (S. 3334) granting an increase of pension to Thomas E. James;

An act (S. 3472) granting an increase of pension to Zeno T. Griffin;

An act (S. 3519) granting an increase of pension to Charles L. Cummings;

An act (S. 3633) granting an increase of pension to Samuel L. Leffingwell;

An act (S. 3634) granting an increase of pension to Elizabeth A. Capehart;

An act (S. 3672) granting an increase of pension to James Scannell;

An act (S. 3820) granting an increase of pension to Warren D. Nudd;

An act (S. 3991) granting an increase of pension to Waity West;

An act (S. 4042) granting an increase of pension to William H. Norton;

An act (S. 4056) granting an increase of pension to Minerva Melton;

An act (S. 4111) granting an increase of pension to Almer J. Pettée;



An act (S. 4335) granting an increase of pension to John Brown;

An act (S. 4381) granting an increase of pension to John S. Robinson;

An act (S. 4514) granting an increase of pension to Mary Beals;

An act (S. 4535) granting an increase of pension to Lydia M. Granger;

An act (S. 4619) granting an increase of pension to Clifford Neff Pyffe;

An act (S. 4650) granting an increase of pension to Delania Ferguson;

An act (S. 4658) granting an increase of pension to Charles F. Rand;

An act (S. 4740) granting an increase of pension to Mariah L. Godfrey;

An act (S. 4749) granting an increase of pension to Eunice A. Smith; and

An act (S. 4969) granting an increase of pension to Abbie George.

#### CIVIL GOVERNMENT FOR THE PHILIPPINE ISLANDS.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. BEVERIDGE obtained the floor.

Mr. BURTON. I desire to make an announcement.

The PRESIDING OFFICER. Does the Senator from Indiana yield?

Mr. BEVERIDGE. Certainly.

Mr. BURTON. I wish to give notice that I shall address the Senate upon the pending bill at the conclusion of the morning hour to-morrow.

Mr. BEVERIDGE. Mr. President, I shall not occupy more than a moment of the Senate's time to do at this first opportunity what I arose yesterday in the midst of the remarks of the Senator from Utah [Mr. RAWLINS] to do, and that was to call his attention to an inaccuracy which I am bound to say was not intended before it had gone uncorrected in the RECORD.

During the course of the admirable and I may add the remarkable speech of the chairman of the Philippine Committee, the Senator from Massachusetts [Mr. LODGE], he referred among other incidents to the incident recently testified to in our committee of the discovery of the death and the means of the death of Sergeant O'Hearn. The Senator from Utah, in the course of his earnest and I may even add his volcanic reply to the Senator from Massachusetts, also referred to it. It deserved attention, then, and I arose to call the attention of the Senator from Utah to it, and it deserves attention now, because it illustrates a curious coincidence of misstatement upon the part of Senators in opposition, which I trust will not characterize those statements in the future.

The Senator from Utah, after he had explained that his reference to Copernicus and Galileo was a lapsus linguæ, said:

Mr. President, I have deemed it proper to say so much; but there is one other thing that I ought in justice to say. The Senator from Massachusetts alluded to the circumstances, and detailed them, of the death of one O'Hearn, a soldier of the United States, one of the victims of this policy. He was tied to a tree, burned for four hours, hacked to pieces, and buried. How does the Senator from Massachusetts know that? Why, twelve Filipinos were seized, put into the custody of American soldiers, and information as to how this soldier of the United States came to his death was unascertainable.

The Senator will remember that I did not interrupt him there, because thus far he might have found himself within the record, and the recent record, but he continued:

This system which prevails over there, started about two years ago, was brought into application, and what was the result? Twelve men were thrown down and subjected to the water torture. They were called upon to confess that they had been instrumental in bringing about the death of O'Hearn. They were tortured one day, but the necessary information was not derived; they were tortured the second day, and then, being unable to endure the torture longer, those twelve men, each and every one of them, said, "For God's sake—"

And this seems to be a favorite phrase of the Senator from Utah—

we can not endure this torture longer. What do you want us to say?" The interpreter, listening attentively, said—

And mark the detail with which the Senator recounts this testimony—

"Confess the charge which has been made against you." "What was that charge?" "That you burned this man for four hours; that you hacked him to pieces." Thereupon these men did confess, and that is the sole basis upon which is built up this fabric of alleged cruelty perpetrated by Filipinos upon this American soldier.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER pro tempore. Does the Senator from Utah yield to the Senator from Indiana?

Mr. RAWLINS. I decline to yield at present. The Senator can read the

history of that as disclosed in our testimony before the Philippine Committee.

Mr. President, I did not arise to interrupt the Senator as a matter of discourtesy or as a matter of vexatious interference with his closely connected, logical order of argument. I arose merely that he should not again be the victim of that lapsus linguæ which made him say Copernicus instead of Galileo. But, Mr. President, upon reading the RECORD I found that I had heard aright and that the Senator had stated with a detail of particularity something that had occurred in the testimony before the committee which not only did not occur, but in which the testimony was directly the reverse, and that, too, in spite of the utmost attempts of skilled lawyers to get the witness to testify to what the Senator from Utah now says he did testify to.

Mr. President, the record was before me at the time; it was in recent mind of all of us; and I think it proper at this time, in order that the debate from this moment forward may be accurate, and also let us hope fair, that it should be laid before the Senate as it actually occurred.

I will therefore read the questions and answers which were put to this witness, and place them in parallel columns, with the report of that testimony as given yesterday by the Senator from Utah.

After the witness had testified to the water cure upon points which it will not illumine, although I will read it all if it is desired, this particular point to repeat, I for brevity read the following—

Mr. RAWLINS. From what page does the Senator read?

Mr. BEVERIDGE. I think I will take it in the order in which it comes. I read from page 1978. This is witness Hallock:

By the CHAIRMAN:

Q. Did you witness any other cases of water cure?

A. No, sir.

Q. These were the only cases that you saw?

A. Yes, sir.

Q. Did the natives confess that O'Hearn was burned before he was murdered?

A. They confessed—perhaps I had better tell you the story of his capture and everything.

Q. Yes; tell the whole story.

A. O'Hearn, in company with two other soldiers from our company, was sent to Iloilo after the mail, I think, and when they arrived back within about 5 or 6 miles of the company, or where the company was stationed, they were ambushed by about 100 insurgents and two of them were captured. O'Hearn made a break to get away. This was on June 30, 1900. He made a break to get to the quarters, or at least we thought he did, and fell in, as we supposed, with friendly natives. They captured him and on the next day, July 1, he was tied to a tree at 7 o'clock in the morning and was tortured by cutting with bolos and by slow fire until 5 o'clock at night. So the natives confessed.

Q. The natives confessed to that?

A. Yes, sir.

Q. When they applied the water cure to these natives in order to get their confession, did you know that he had been tortured before being killed?

A. No, sir; we did not know anything about it.

Q. Then the infliction of the torture was entirely a voluntary confession?

Senator CULBERSON. He has not said it was voluntary.

A. The confession was gotten from the natives by means of the water cure.

By the CHAIRMAN:

Q. But did they ask them whether he was burned or whether he was murdered?

A. They asked him through the interpreter how they killed him.

Q. And then they confessed to the statement which you have just made?

A. Yes, sir.

Later on the Senator from Colorado [Mr. PATTERSON] took the witness up and attempted to elicit the account of this testimony which the Senator from Utah yesterday said was elicited, as follows:

By Senator PATTERSON:

Q. Do you know whether this man denied any knowledge of the missing soldier before they applied the water torture to him?

A. I could not say, sir.

Q. Were you present when the water torture was applied to the other twelve?

A. I was present in most cases.

Q. Do you know whether, before it was applied, they had denied any knowledge of the affair?

A. I think they did deny it.

Q. Were they given to understand what they were to confess to to avoid the water torture?

A. Yes, sir.

Possibly the Senator from Utah based his statement upon that answer.

Senator BEVERIDGE. Do you understand that question?

Senator PATTERSON. I will keep on asking it, so that there will be no trouble.

Senator BEVERIDGE. I understand your question and its purpose very well.

Senator PATTERSON. No; you do not.

Senator BEVERIDGE. Senator Lodge asked that same question in a direct way, and now you put this question in a way, as we all very well understand, to imply that what to confess was suggested to them.

Senator PATTERSON. Wait until I get through.

The CHAIRMAN. What is the question?

The stenographer repeated the question, as follows: "Q. Were they given to understand what they were to confess to to avoid the water torture?"

Senator PATTERSON. If you will wait I will ask another question that will settle all controversy.

Senator BEVERIDGE. But when you ask a question like that I propose to exercise my duty as a member of this committee to object to it.

Senator PATTERSON. I understand you will.



By Senator PATTERSON:

Q. What was it they were given to understand they were to confess to?  
A. They were given the water cure and then asked questions through this interpreter what they knew about the killing of O'Hearn.

Q. Before the water cure was applied to them were they given to understand about the death of a soldier—that is, the soldier that was missing?  
A. Before they were given the water cure?

Q. Yes.  
A. The only way I know that they could know it would be by talking amongst themselves.

Q. What was the water cure applied to them for?

A. What was the water cure applied to them for?

Q. Yes.

A. To see what information they had in regard to the death of O'Hearn.

Q. Had they been told of the death of O'Hearn?

A. Not to my knowledge.

"Had they been told of the death of O'Hearn?" "Not to my knowledge." And that was the final answer which was elicited after the question had been put to him and the suggestion made to him that what they were to confess to had been suggested to them, and then they were tortured in order to make them admit that the confession was correct.

Mr. President, why should it have been suggested to them even if the witness had not denied it? O'Hearn was missing. They wanted to know where he was. They found a native whom they thought was implicated. For all they knew O'Hearn might have been a prisoner. They did apply a water cure, and the native told them O'Hearn had been tied to a tree, tortured by bolts, burned by a slow fire; and he then told of twelve other natives who had participated in the killing.

And yet, Mr. President, after that testimony in which Hallock says it had not been to his knowledge that any such thing was done as stating what those persons were to confess to, in another place he said the statement was made voluntarily; that they merely asked him what had become of O'Hearn and what they had done about it. The Senator from Utah gives the following account of what took place in this testimony:

And then, being unable to endure the torture longer, those twelve men, each and every one of them, said, "For God's sake, we can not endure this torture longer. What do you want us to say?" The interpreter, listening attentively, said, "Confess the charge which has been made against you." "What was that charge?" "That you burned this man for four hours; that you hacked him to pieces."

So, Mr. President, we see that if the Senator yesterday had permitted me to interrupt him it would have been merely to call attention to the fact that after a most careful and skillful cross-examination by Senators on the other side the witness had not testified to anything of the kind stated by the Senator from Utah, but had testified that they asked him what about O'Hearn, and that finally through this man they discovered what had become of him and where his bones rested, and the native made the statement without suggestion.

Mr. President, I deemed it necessary and perhaps useful for the general course of the debate—

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Colorado?

Mr. BEVERIDGE. Certainly.

Mr. PATTERSON. Will the Senator from Indiana call attention to the fact that, although these twelve men after they had subjected to the water cure and confessed, as the term is used, after the application to participating in the death of O'Hearn, they were sent to prison or put in the guardhouse and kept there for a period of from five to eight months; that the officers got together and held a consultation about the case, and yet none of those prisoners was ever brought to trial? There was no court-martial and no effort at any sort of investigation after the application of the water torture and the imprisonment.

It struck me, Mr. President, in connection with that, that if the identification of O'Hearn had been so complete, if the officers, under whose administration this torture occurred, believed that these men had been guilty of the crime, to extort the confession of which the torture was applied, there would have been a speedy court-martial and a speedy military execution of every one of them. Instead of that they were kept in prison from five to eight months, five of them were killed in an attempt to escape, and the rest of them escaped. There never was any trial.

Mr. BEVERIDGE. Mr. President, I am not surprised that the Senator from Colorado, with his usual fertility of resource, should want to divert the course of the present discussion, which was that a lapsus lingue, to put it mildly and kindly, had been made here, although the record was before the Senator who made it, and that it perhaps characterized the unintentional moderateness, I will not say inaccuracy of statement, that has distinguished every speech and every remark which has been made by the Senators in opposition. I am not, therefore, surprised to see the Senator from Colorado, with that tropical fruitfulness of resource which distinguishes him, attempt now to divert this controversy to another portion of this mass of testimony. But since he has done so, I am willing to take that up.

Mr. HOAR. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Massachusetts?

Mr. BEVERIDGE. Gladly; with pleasure.

Mr. HOAR. Mr. President, this, it strikes me, is the essence of this matter. Did the Senator from Indiana find it proven before his committee that American soldiers tortured men, if it be torture, by the water cure, to get out of them a confession that they had committed crime? Is that what they proved? Whether the Senator from Utah said "Copernicus," or "Galileo," I should like, as an American Senator, to know whether or no American soldiers tortured men until they confessed crimes?

Mr. BEVERIDGE. It is proved to my satisfaction—every Senator must speak for himself—that what is known as the water cure was administered in this dreadful case to ascertain what had become of O'Hearn; that it was thereby ascertained that O'Hearn had been ambushed, had been tied to a tree, had been hacked with bolts, burned with a slow fire, and, after being burned and charred, had been buried, and that our soldiers thereupon went to the spot, after they had been told of it, dug up those bones, identified them by the loss of a missing tooth, and from the fact that it was an American skeleton. That much, I think, is proved to my satisfaction; at least, there is no evidence to the contrary.

Mr. HOAR. Was it proved that this was done by any other evidence than the confession which was so extorted?

Mr. BEVERIDGE. Not that I know of.

Mr. PATTERSON. If the Senator from Indiana will allow me—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Colorado?

Mr. BEVERIDGE. Certainly.

Mr. PATTERSON. The Senator looked at me, and I inferred from that that he yielded.

Mr. BEVERIDGE. Certainly.

The PRESIDING OFFICER. The Chair must insist on Senators who wish to interrupt other Senators first addressing the Chair.

Mr. PATTERSON. Very well, Mr. President.

I suppose the Senator from Indiana will admit that, after the first confession and, as he states, the finding of the body, the remaining twelve Filipinos had the torture inflicted upon them to compel them to admit that they had participated in the offense?

I think he will further admit that the only evidence of the identification of O'Hearn was the fact that there was a tooth missing.

Mr. BEVERIDGE. Do you deny the identification of O'Hearn?

Mr. PATTERSON. I am telling you what the facts are.

Mr. BEVERIDGE. I know, but by inference, from the facts, what is your opinion?

Mr. PATTERSON. I have not formed any opinion, nor do I care to form an opinion in regard to that. I simply know that, according to the clear and explicit testimony of the witnesses, the only means of identification of O'Hearn was the missing tooth. Then, further, the question may be asked, How did this Filipino know it was O'Hearn?

Mr. BEVERIDGE. One fact at a time; one argument at a time.

Mr. President, the remark of the Senator leads me to suggest that it only seems that he is interested in convicting some American soldier of some crime, and since he has spoken about the identification of O'Hearn, it affords me simply an illustration of how proof strong as Holy Writ can not convince the Senator from Colorado or those who follow in his wake when it is the American soldier they are attacking.

This incident of the identification of O'Hearn—while I do not think it is illuminative of this question, or that any of these things are illuminative of this great question or of the policy which is involved in it—is illuminative, Mr. President, of the fact that no matter how much evidence, how cumulative it may be, the Senator from Colorado and other Senators upon his side will not admit it so long as it refers to the American soldier.

Let us see the application of that. Our men did not know where O'Hearn was. He had been sent after the mail. It was known that he was returning with the mail sack. He was missing. A man was found who it was believed had been implicated in his taking off. Whether he was a prisoner, whether he was still alive, or whether he was in his grave nobody knew. So this water cure was inflicted. That is all past.

Now, let us see as to the identification of O'Hearn; how unwilling the Senator from Colorado is to accept, in the same, testimony that he would accept in a court of justice. First, O'Hearn was missing; second, those men who confessed that they had killed O'Hearn, and, mark you, burned him. We are now talking about identification. Our soldiers went to the spot where those men said O'Hearn's charred bones were buried. At that spot they found those bones thus charred. The best preserved bones, the bones most intact, were those of the head, in which



there was a missing tooth. The bones were taken to headquarters; they were examined by our surgeon; there they were identified by him, and the most conspicuous single item of evidence was the missing tooth; and it was said the skeleton of this man was not that of a Filipino. If there is any succession of circumstances which would convict any man charged with murder before any American jury, I can not conceive of a stronger case than that, and yet the Senator from Colorado is not willing to admit that O'Hearn is even dead.

I take this much time merely to show the methods that are employed by some of the Senators upon the other side of this question and to show they are not convinced by the most overwhelming, cumulative, and undisputed testimony. That is the only use of that incident; and I am very much obliged to the Senator from Colorado for affording it to me.

Since the Senator from Colorado goes into another feature of this testimony, why does he not go into the whole of it? Why do not he and the Senators on the other side of this question go into the whole of the testimony? Why did you not repeat what every single witness, save one, said who testified to the water cure, that kindness, consideration, and gentleness have been the ordinary, usual, and habitual practice of our men toward the Filipino people who were working in peace, and more so as to those who were taken as prisoners of war and confined in our prisons?

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Colorado?

Mr. BEVERIDGE. Certainly; gladly.

Mr. PATTERSON. I suppose the Senator from Indiana will also admit that this prisoner stated that from about the time when the application of the water cure was commenced there were but four Filipinos taken as prisoners during the entire period?

Mr. BEVERIDGE. That witness so testified, Mr. President; but I ask the Senator whether it was not true of every prisoner which the witness had the opportunity of seeing, and I ask the Senator whether it was not proven by this record that this soldier testified that every prisoner he saw had the same treatment from our physicians, from our nurses, and in our hospitals that our own soldiers had? Is not that true?

Mr. PATTERSON. He stated that there was but one such Filipino of whom he had knowledge, and but four Filipinos had ever been taken prisoners up to the time the army commenced the application of the water cure.

Mr. BEVERIDGE. Is it true or not true that he stated that this wounded Filipino had the same treatment that our own soldiers had?

Mr. PATTERSON. He said this wounded Filipino was taken from the hospital to another hospital, and that was all the knowledge he had of him. He also stated, I am quite sure, that the prisoners were compelled to do the work—no one could find any fault with that—and that they were supplied with the ration which was most desired by them, and that was rice. That is the statement, but what then? When it came to his knowledge—which is quite significant—I asked him how many prisoners were taken from the time they commenced the application of the water cure, and he said: "Do you mean by my company or my command?" I said: "No; I mean by the entire command." He stopped, and evidently with care and precision recalled the number and said: "Four." He had knowledge of 1 wounded man and 4 prisoners from the time the application of the water cure commenced.

Mr. BEVERIDGE. Mr. President, when I rose it was merely to make correction of the Senator from Utah [Mr. RAWLINS]. I had no idea that we should become involved in a debate here; and although the records at my desk are not complete, I do not know but that this is as good a time as any for pointing out some certain other unaccountable omissions with reference to the testimony before this committee by every Senator who has spoken upon that side of the question.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield?

Mr. BEVERIDGE. Yes; but I hope the Senator will ask me a question and not make a speech.

Mr. PATTERSON. I simply want to suggest that the character of the reflections in which the Senator is indulging is not calculated to produce harmony in debate in the Chamber, impugning the motives of Senators in their course of proceeding. I have heard Senators corrected a number of times for a procedure of that kind, and heard the admission that the correction was always proper. The character of the remarks the Senator is making will do no good.

Mr. BEVERIDGE. Mr. President, I for the first time agree with the Senator from Colorado that it is not wise or right to reflect upon the motives of Senators, nor do I do so now. On the

contrary, when I began what I thought would be merely remarks of one or two minutes, I said that I exonerated even the Senator from Utah, and all the Senators, from having intentionally suppressed information, and yet the only note we have heard struck upon their side of the Chamber has been suppression, suppression, suppression, concealment, concealment, concealment.

Was that a reflection upon the motives of Senators upon the other side of the question? When Senators are confronted with the fact that they have merely omitted certain vital portions of the testimony taken before the Senate committee, when we do not use the harsh words "suppression" or "concealment," "purposed" and "intentional," the Senator from Colorado rises to read us upon this side of the Chamber a lecture. In whose mouths have the words "suppression" and "concealment" been found? Not in the mouths of Senators upon this side of the Chamber. What was my remark? That there had been omissions in your statements to the Senate of the testimony of these witnesses.

I had not intended to go into this matter to-day, and probably not at all, but some of the RECORDS are before me, and one of them contains the other speech made by the Senator from Utah, for whom personally I have the highest regard, as he knows. There was some testimony of witnesses referred to by him, but the testimony, which immediately followed, referring to the kindness of the Americans to the Filipino people and the Filipino prisoners received at our soldiers' hands, was not mentioned by him. I do not ask you why you did not mention it. I leave that to yourselves. You can answer the question. I merely note the fact.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly; gladly.

Mr. CARMACK. Mr. President, I want to say, in order that my position in this matter may not be misunderstood, that the conduct of the American soldiers in the Philippines toward the natives was uniformly kind wherever it was permitted to be so; and further—

Mr. BEVERIDGE. May I interrupt the Senator right there?

Mr. CARMACK. In one moment, if the Senator will permit me.

Mr. BEVERIDGE. Very well.

Mr. CARMACK. Further, where their conduct was otherwise, they were driven to it by the command of their superior officers. The Senator from Massachusetts [Mr. LODGE] yesterday accounted for the cruelties perpetrated in the Philippines on the idea that the soldiers were inflamed with a passion for revenge; which was not true. The complaint on the part of their officers uniformly was that the feelings of the soldiers toward the Filipinos were too kindly; and they were constantly being driven by their officers into acts of cruelty which were abhorrent to their own nature.

Mr. BEVERIDGE. Mr. President, I am delighted to hear, even at this late stage of the debate, an apology to the American soldiers from the Democratic side of the Chamber.

Mr. CARMACK. If the Senator will permit me, he has not heard any apology whatever, and he will not hear any from me.

Mr. BEVERIDGE. I am sorry I misinterpreted the Senator.

Mr. CARMACK. I am sorry on the Senator's account.

Mr. BEVERIDGE. The Senator made at last a very handsome reference to the American soldiers and most eloquently referred to them. We all admire the talent of the Senator from Tennessee, but I have heard him refer to that same Army as being composed of vandals, as ravagers and murderers, or some such words. If those are not the words of the Senator, I will withdraw the remark and give the Senator an opportunity now to say whether or not the statement is correct.

Mr. CARMACK. It is not correct at all, Mr. President.

Mr. BEVERIDGE. Since the Senator is on the floor, will he remain on the floor a minute longer?

Mr. CARMACK. Yes, sir.

Mr. BEVERIDGE. The Senator now says that it is not the fault of the American soldier that the water cure was administered. We have got it removed at last from the soldiers to the officers; that it is due to orders of the officers. I ask the Senator whether he can name an officer, except in the first instance of the administration of the water cure, testified to before our committee (there have been many others testified to since) where one of the officers ordered it? On the contrary, I ask the Senator, in order to give him time to think, whether it is not true that the testimony of every witness except one has been that it was inflicted by the men themselves?

Mr. CARMACK. Does the Senator yield to me?

Mr. BEVERIDGE. Yes; I do.

Mr. CARMACK. I was not speaking of any special order with reference to any special act. I was speaking of the general orders of Chaffee and Bell and Smith, in which orders—which I



will hereafter present to the Senate—complaint was made that the feelings of the soldiers toward the natives were too friendly and too kindly and urging and demanding that they should cease to entertain those friendly feelings.

Mr. BEVERIDGE. Mr. President, we are tracing it down at last. First, it was the American soldier. He is exonerated. Thank you. Then it was his officers, under whose command he did these things. I remember the Senator's words well. When I asked him—and he was one of the most alert and attentive members of our committee—whether or not there was a single instance, except one, in which it appeared that an officer had ordered one of these water cures, he refers in a diaphanous way to the general orders of Chaffee and Bell.

Let us get the responsibility fixed. We heard an apology yesterday—beautiful, forcible, and most appropriate, though long delayed—by the Senator from Utah, as to General Chaffee and his record and his conduct. He was exonerated. That is No. 1. We hear to-day an exoneration of the American soldier from the Senator from Tennessee. That is a most proper exoneration; No. 2. Then I asked him, when he charged that these atrocities were traceable to the orders of our officers, whether there had been a single bit of testimony to that effect by any except one witness, and he said, "No." That is exoneration No. 3. Perhaps we can dispose of this attack upon the American Army to-day.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly; gladly.

Mr. CARMACK. I will say to the Senator, if he wants further specifications, that Major Waller, in the first place—

Mr. BEVERIDGE. Now it is Waller.

Mr. CARMACK. Major Waller protested against the inhuman orders of General Smith, and the soldiers under Waller protested against the inhuman orders of Waller; and my information is that the court-martial of Waller came about through the protests and complaints of the soldiers under him of his cruel and inhuman conduct.

Mr. BEVERIDGE. Now you testify to your understanding.

Mr. CARMACK. My understanding comes from a newspaper published in Manila. Of course, Mr. President, there are a great many things going on there of which we can not now get direct testimony, because we can bring no witnesses from the Philippines.

Mr. BEVERIDGE. Ah!

Mr. CARMACK. We have to take the best testimony we can get. Here is a statement published in the Manila Times to the effect that the court-martial of Waller was brought about through the complaints and the protests of his soldiers against the brutal and inhuman conduct he had forced them to perpetrate. Waller himself declared that he protested against the brutal and inhuman order of Smith, and I have cited the order of General Chaffee, in which he complained that the officers and men were too friendly toward the Filipinos.

Mr. BEVERIDGE. You stated that once before. I yielded; but not for a repetition. I will yield for a speech, but not for a repetition of a speech, because I want to get on.

Mr. CARMACK. The Senator is repeating one now.

Mr. BEVERIDGE. No; I am not. I am following as best I can the changing positions of the other side. The Senator made an unfortunate remark when he said they had to get along with the best testimony they could. All I ask him is that he shall stick to the testimony; all I ask him is that he shall stick to the record; all I ask him is that he shall produce that record before the Senate and the American people complete and ungarbled.

I had no intention at this time to go into this portion of the debate, and I doubt whether I should at all, Mr. President; but I have heard attack after attack; I have heard references to witness after witness by Senators upon the Democratic side wherever it will reflect upon the American soldier or the American officer or the American general; and although that record is full of testimony as to the contrary, and as to the kindly care by our soldiers of the Filipinos, that the Filipinos had the same physicians as our American soldiers, that they had the same medicine as our American soldiers, that they had the same nurses as our American soldiers, I have not heard one word of that upon the Democratic side of the Chamber.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Colorado?

Mr. BEVERIDGE. Certainly.

Mr. PATTERSON. The Senator from Indiana, I know, desires to deal fairly and justly with Senators on this side of the Chamber.

Mr. BEVERIDGE. Certainly, and I always do so.

Mr. PATTERSON. Senators upon this side have paid as full and eloquent and as heartfelt eulogies to the American soldiers

as have been uttered on the other side of the Chamber, and I do not want to say anything further upon that subject.

The Senator from Indiana, however, wants to know whether there was any instance but the one in which there was an order from an American officer to administer the water cure. My sole aim, I will say to the Senator, is to be correct. I want to say to the Senate, Mr. President, that in every instance in which the water cure was administered—sometimes to as many as 20 Filipinos, then again to 12, and sometimes to lesser numbers—in every instance an officer was in the immediate vicinity.

Mr. BEVERIDGE. Ah!

Mr. PATTERSON. One moment, now. "Ah!"

Mr. BEVERIDGE. "In the immediate vicinity" is what I said "ah" to.

Mr. PATTERSON. I know it was.

Mr. BEVERIDGE. That is as near as you can get an officer—"in the immediate vicinity."

The PRESIDING OFFICER. The Senator from Colorado [Mr. PATTERSON] has the floor by the courtesy of the Senator from Indiana [Mr. BEVERIDGE].

Mr. PATTERSON. In the immediate vicinity, when the water cure was applied all night, commencing early in the evening and running until broad daylight in the morning, the officer in command of the troops was sitting under the shade of a tree, within less than 100 yards from where the process was being conducted.

Mr. BEVERIDGE. Great heavens, Mr. President, sitting in the shade of a tree at night! [Laughter.] We have it at last, I am glad to say. In the courts, both Federal and State, if a lawyer who is confused presents some half a dozen theories upon which he desires to proceed no one knows better than the Senator from Colorado that the court requires him to elect the theory upon which he proposes to try his case.

Mr. PATTERSON. Mr. President—

Mr. BEVERIDGE. Just wait a moment. I want to get through with that officer sitting at night under the shade of a tree. [Laughter.]

Mr. PATTERSON. Ah!

Mr. BEVERIDGE. Mr. President, I started out with the expectation of occupying the attention of the Senate for three or four minutes in a kindly way to call attention to what I said was an unintentional error of my friend the Senator from Utah [Mr. RAWLINS]. Immediately a diversion was required; and the Senator from Colorado proposed another subject of discussion. That was taken up, and then my friend the Senator from Tennessee took up another subject of discussion, and that was the American soldier. He exonerated him, and then he attacked the American officer. I then asked the Senator to name the American officer, to file his specifications, and he said it was not a subordinate officer, but it was Chaffee and Bell; and yet we had Chaffee yesterday exonerated by the Senator from Utah. Then comes again the Senator from Colorado to the rescue, and says, "Yes, there is more than one instance; there is a horrible and dramatic circumstance of water cure given all night long until broad daylight, and during the whole of it an American officer sat within a few yards under the shade of a tree." [Laughter.]

Mr. PATTERSON. Mr. President, the important question—

Mr. BEVERIDGE. That, Mr. President, illustrates the accuracy with which so acute a lawyer as my friend from Colorado, who looks sanely upon all other subjects, looks upon this. It is a question which seems to have created some queer and curious and unexplainable psychic state in the minds of Senators upon the Democratic side, and, at least, upon that theory we exonerate them.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Colorado?

Mr. BEVERIDGE. Certainly.

Mr. PATTERSON. Does the Senator from Indiana deny that the witnesses themselves, whom the Senator from Massachusetts [Mr. LODGE] yesterday extolled to the extent of his eloquence and ability, testified that they commenced administering the water cure and kept it up until the next morning, and then on the next day it was administered to 20 and more Filipinos, and that during that time the officer in command of the company or the battalion was within less than a hundred yards of the proceeding. Whether or not he was sitting under the shade of a tree, the important question is, Did or did not Mr. Flint, who, as I said before, the Senator from Massachusetts eulogized, state that the man in command of the battalion was in immediate proximity to the place and knew what was going on?

Mr. BEVERIDGE. Certainly, I admit it. Do you admit that it is not true, although it was claimed, that Major Geary, the officer, had ordered these things done?

Mr. PATTERSON. Oh!

Mr. BEVERIDGE. Oh!

Mr. PATTERSON. Mr. President—

Mr. CARMACK. It was proved he had knowledge of it.



Mr. BEVERIDGE. But your charge was, and you must stick to your statement—

Mr. PATTERSON. Mr. President—

Mr. BEVERIDGE. The Senator charged that it was done under the orders of the officer.

The PRESIDING OFFICER. One Senator at a time.

Mr. PATTERSON. The Senator from Indiana asked me a question.

Mr. BEVERIDGE. Now answer it.

Mr. PATTERSON. I will. Mr. Flint swore that he did not hear the orders given, but he supposed—

Mr. BEVERIDGE. Ah!

Mr. PATTERSON. One moment. He supposed that the men were acting under the command of the man in charge, who had full knowledge of what was going on.

Mr. BEVERIDGE. "Supposed," Mr. President, is now what we have—supposition, shades of trees, and shades of everything else, but no definite charge.

Now, then, does not the Senator also know that Mr. Flint, his star witness, stated under examination that he himself approved what was going on?

Mr. PATTERSON. In substance, he did.

Mr. BEVERIDGE. Yes; in substance.

Mr. PATTERSON. Yes; there is no doubt about that.

Mr. BEVERIDGE. Since you have driven me into it, I must call attention to it. Since you will not specify any more than Major Gardener specifies, but since all your statements are vague and diaphanous, however beautiful rhetoric may make them, let us come down to what you gentlemen omit. What is the gist of this charge? It is the cruelty of American soldiers. That is it. You have produced instances, and they are not denied. I hope I may never see the day in the Senate when anything which is true will ever be purposely denied, whatever its effect, by the side to which I have the honor to belong. In the trial of the question of cruelty was it not proper, unless you were acting the part of attorney for a client, trying a cause one-sidedly, when presenting the case, to present both sides? If you produce an instance of the water cure, was it not also proper, honorable, and necessary that you should produce the testimony given by the very same witness of the uniform and universal kindness, care, and consideration unparalleled in the history of warfare shown by American officers and men to the natives. Did you do it?

Did the Senator from Tennessee [Mr. CARMACK], in his most remarkable and ingenious speech, do it? Did the Senator from Utah [Mr. RAWLINS], who quoted the testimony of one of these witnesses, do it? And yet, Mr. President, every witness, except Mr. Riley (and I should have asked him if I had been conducting the examination on that subject that day) testified to these facts. I will repeat them to economize time and save the reading of the record, and will leave them to be challenged. Wherever a Filipino prisoner was taken, he received the same kind care and consideration that our own prisoners in the guardhouse received. Nay, more, that when any native was sick and wounded, he was taken to our hospitals. He was put upon our cots. He was attended by our physicians and surgeons. He was nursed by our nurses. He was ministered to by our medicine. He was fed with our food, and when it was not good enough, and he preferred the food to which he was habituated, we gave him that instead of ours.

It is also testified to by every witness who has testified to the water cure except one that this was the uniform and universal treatment which the Filipino prisoners received from American officers and men. I ask the Senator from Utah, who so ably leads this attack here, why he did not mention that when he was quoting the testimony of one of these witnesses? I ask all the Senators here why they have not mentioned that fact? Why is it that you have presented the instances of cruelty and refused to produce a single item of evidence of the unbroken current of kindness of American soldiers and officers to the Filipinos? Was it because that kindness was shown by American soldiers? Was it because it was not consistent with the exigency in which you find yourselves to tell the American people that the Filipinos have been treated with a uniform kindness and consideration which the whole history of war even in civilized countries can not parallel?

Since you are going to refer to the testimony in the trial of this case, either admit that you are trying it in a partial manner; that you have taken a fee and a bribe against the American soldier and the American authorities, or else produce all the testimony. I do not think the American people are going to be very greatly impressed by a case which produces a small part of the testimony against American soldiers and which refuses to produce the mass of testimony in their favor.

Mr. President, I will not take the time to read this record, because I have given the gist of it. At some time in the future I may. As I remarked two or three times already, I rose merely to correct my good friend the Senator from Utah in order that an-

other one of his lapsus linguae might not be perpetuated in the CONGRESSIONAL RECORD.

But, Mr. President, since the matter has come up we might as well get through with it. I admit that the Senators on the other side have not intentionally suppressed testimony. They have omitted to mention it. I admit that it has not been with the intention of presenting only one side of this case, and that the black side, to the American people. But I ask you to explain why you did not produce it all?

Mr. President, much may be allowed for partisan enthusiasm; much may be allowed for honest zeal even in a mistaken cause; much may be allowed for the heat of debate, and still more for the exigencies in which gentlemen sometimes find themselves in debate; but none of these, nor all these put together, ought to blind us to facts—facts not of rumor, but of record. What those facts mean, what their interpretation is, may be a matter of honest difference of opinion; but in the statement of those facts in the trial of your suit against the American soldier I beg you to be fair and accurate, even if, because of the political emergency in which you find yourselves, you are not willing to be fair in their interpretation.

Mr. RAWLINS. Mr. President, I do not know that there is any occasion for an attempted response to the remarks which have been submitted by the Senator from Indiana [Mr. BEVERIDGE]. He rose, he said, to put a statement made by me yesterday evening in parallel column with the testimony delivered by a witness before the Committee on the Philippines. He has put the testimony and the statement, according to his claim, in juxtaposition, and he admits that while he rose to make a correction, the statement which I made was in every particular accurate.

I stated in substance that O'Hearn, it was claimed, had come to his death by being burned for several hours and then cut to pieces and buried, and that the basis of the information to that effect was derived from witnesses speaking after and under and by reason of the application of the so-called water cure. The testimony already read by the Senator from Indiana from the record is a verification of every one of those statements. Let me repeat it.

O'Hearn disappeared. Captain Glenn, who was a judge-advocate upon General Hughes's staff, subjected a Filipino to the water torture. Thereupon the confession was obtained from him that the soldier O'Hearn had met with his death. The skeleton of the soldier was subsequently found. Captain Glenn reported also that 12 Filipinos, according to the statement of the man who had been subjected to the torture, had participated in the killing of O'Hearn. These 12 Filipinos were thereupon arrested and subjected to the torture for two days, when it is alleged they confessed that they had participated in that killing. The sole knowledge we possess in relation to this case is that the soldier disappeared; that a skeleton or remains, identified, or claimed to have been identified, as the remains of O'Hearn, were produced, and that the 12 Filipinos, as a result of the application of the water cure, confessed that they had participated in taking his life by means of burning and hacking to pieces in the manner which is described.

I do not undertake from memory to quote the exact phraseology of the testimony, but to give the substance of it, and the substance of it is that these men were induced to make these statements by the infliction of this torture, which the witness stated was carried on for two successive days.

The Senator from Indiana [Mr. BEVERIDGE] works himself into a fever heat. He is not guilty of any volcanic eruption. It scarcely rises to the dignity of an eruption. He repeats the imputation, which now is the only stock in trade of our friends, that we on this side are arraigning the American soldier; that we are responsible for all the facts which have been elicited by the Committee on the Philippines, a considerable majority of which committee is composed of members of the Republican party.

That committee, under the direction of the Senate, is pursuing an investigation into the conduct of affairs in the Philippine Islands. That may be conducted for partisan ends. If so, it is conducted by the majority for partisan ends. No witnesses have appeared before that committee except upon the direction of the committee itself. Every person who has been brought before it and who has testified has testified in answer to questions which have been propounded by the members of the committee and with the approval of the committee.

Mr. President, the American soldier and officer I have no doubt have treated with humanity persons who have become their prisoners of war. Nobody has contended otherwise. That is not a matter which has been made the subject of an accusation against anybody, and it has not therefore been necessary to make any inquiry into the subject. It has been charged through the newspapers and from various sources that the Army in the Philippines, or some part of the Army, have engaged in the practice of inflicting torture for the purpose of securing information. That



was a thing so unheard of in our history that members on the other side of the Senate, as well as upon this side of the Chamber, deemed it a proper subject for investigation, and the committee has summoned witnesses in order that the truth of the matter might be ascertained.

Why waste the time of the committee in going into an inquiry about something which was not in dispute or which was not the subject of any charge? Nobody declared that prisoners of war in the custody of our Army were being starved to death or were being tortured simply because they were prisoners. And only the Senator from Indiana, of the majority, has deemed it worth the while to propound to witnesses questions relating to a matter which is entirely irrelevant, so far as this subject is concerned.

Mr. BEVERIDGE. Will the Senator yield for a question?

Mr. RAWLINS. With pleasure.

Mr. BEVERIDGE. I infer, and I hope it is true, and therefore I ask the Senator whether he will now admit that it is established and not to be further discussed, that the treatment at the hands of American officers and men of Filipino people engaged in peaceable pursuits has been uniformly kind, considerate, and full of regard and care? Is that admitted or not?

Mr. RAWLINS. The Senator by his question is now seeking to make a new diversion.

Mr. BEVERIDGE. No; I stated that in my few remarks.

Mr. RAWLINS. The Senator was talking about the treatment of prisoners of war in the custody of the American Army. The Senator now asks the question whether inhabitants who are not prisoners of war were uniformly treated with kindness by the American soldiery. That is another question—is a question concerning which there may be discussion.

Mr. BEVERIDGE. Mr. President—

Mr. RAWLINS. If the Senator will permit me, that is a question which I think the Senator will not desire me to answer until there has been a fuller investigation, and I do not intend to be drawn into that controversy until we have had matters which justify a discussion of it. I could invite the attention of the Senator to official reports made by civil governors in different provinces in the Philippine Islands bearing upon that question which would be of tragic interest. But I do not care to go into it. I was simply endeavoring to speak with reference to the accusation which the Senator from Indiana deemed it necessary to make in this case against those of us who constitute the minority in the Philippine Committee and the minority in the Senate.

Mr. BEVERIDGE. Will the Senator yield?

Mr. RAWLINS. There is one other matter, if the Senator will permit me.

Mr. BEVERIDGE. Will not the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. RAWLINS. I yield for a question.

Mr. BEVERIDGE. I always yield to the Senator, and I always invite his questions. The Senator did not listen so carefully to my remarks as I had flattered myself he was doing, for I stated that it was the testimony of every witness who testified as to the fact except one, Mr. Riley, who was not questioned on that point, that the treatment which the Filipinos received at the hands of the American officers and men was universally kind and considerate, and that was true not only of the people, but of all prisoners taken in war.

I referred then to prisoners more at length, because it was a conspicuous illustration, and therefore it was pertinent, since the Senator was saying that our kindness to the Filipino prisoners was not pertinent to the discussion; and I ask him whether he admits now, in the course of this discussion, that the evidence shows, without an exception, that we have been kind, considerate, full of care and humane regard for the Filipino prisoners in our possession and for the Filipino people? I ask the question again.

Mr. RAWLINS. Since the Senator repeats the question in its enlarged import, I am going to answer it.

Mr. BEVERIDGE. I wish the Senator would.

Mr. RAWLINS. I will answer him upon the testimony which the Philippines Committee has taken. According to the uncontested testimony which has been taken by that committee we find that the American soldier under the direction of American officers have inflicted the water torture and other cruelties for the purpose of extorting information. We have found that when, by reason of such information, cities, towns, and barrios have been declared to contain or to harbor insurgents or persons hostile to the United States the penalty which has followed the obtaining of such information has been the wiping out by fire and sword, if you may so speak, of such towns, villages, and cities.

We have had many cases of that kind testified to by witnesses. There was one this morning, where an officer in command of about 50 men led by a Filipino guide arrived at a barrio expecting to find there some insurgents. Failing to find them, the guide was first whipped and then given the water torture until he could

not stand upon his feet, and being unable to obtain any information, as, according to the statement of the witness, he had no information he could give, the commander of the squadron directed that the houses constituting the barrio should be burned to the ground. One of those houses was occupied by two women, one helpless and paralytic, unable to stand upon her feet, and when that order was given the other woman dragged her out as best she could, sufficiently far from the house so that she would not be consumed in the flames, and thereupon the torch was put to the building and it was burned to the ground, with all its contents with the exception perhaps of a little rice.

In another instance to which I have alluded towns containing as many as ten and twelve thousand inhabitants were under similar circumstances burned to the ground, and men, women, and children, the well and the sick, were turned out without shelter and without food.

In the report made from the province of Bohol, which will be found in our records, we find that upon that island 24 such barrios and such towns were swept from the face of the earth by fire; and we find there, too, a petition from a certain barrio, stating that the inhabitants of that barrio did not wish to suffer annihilation, but would be dutiful and obedient if they were committed to the authority of the United States.

Mr. President, there are many things which have not yet been disclosed. They are not the work of the soldier. They are not the work of subordinate commanders. They are the commands of the highest military authorities in the islands, and the Senator from Indiana will not lead me to depart from a strict and fair interpretation of the facts which have been developed thus far in this investigation by saying that the superior officers in the islands have not been the source through which the direction for these things has come. But here, here in Washington; here, the seat of power of this nation, here where policies are devised, and here where the responsibilities of government must rest, it must be here that you are to place that responsibility, if it is to be placed anywhere.

I was reluctant to believe, until recently, but that these things were sporadic, accidental, fortuitous, the manifestation of individual perversity and brutality; but as the facts have developed and the evidence has been disclosed step by step we have been forced to the inevitable conclusion that the general plan of campaign in the Philippine Islands was to become as drastic and severe as it could possibly be made, and that that was the only plan by which the pacification of the islands could be secured, and that, according to the opinion of those who were to carry into execution that plan, would be the most humane war. It was necessary to make of Samar a howling wilderness as an example to other provinces and other islands, that they would not dare raise their hands in insurrection or to the disturbance of the peace.

Mr. President, we may consider these men, not moved by malice or malevolence, sitting down and considering the question, "How shall peace come to the islands of this archipelago? If we have to proceed against these people (bent upon establishing their own freedom or independence or whatever their own conceptions may have been) according to the rules of civilized warfare, this insurrection will continue through the years." How many years it would be difficult to conceive.

Therefore to pacify the islands it was necessary to bring to every man, woman, and child the fact, inevitable and remorseless as it may be, that the failure in all respects to submit, as well in deed as in word, to the authority of the United States meant to suffer the inevitable consequences. There are people, I think, within the sound of my voice who know that, as to some of these islands, our troops appeared upon the borderland and issued their proclamation giving the people so many hours or so many days to come within a defined district, with the announcement that all those who failed so to come would suffer the penalty, such as is indicated by the order of Smith and its fulfillment by Waller—that is, their villages were swept away by fire and the lives of all indiscriminately taken. No vestige of food was permitted to remain upon which even a bird could live.

If the Senator from Indiana wants to know our position upon this question, we say, "There—there is the picture. There is your policy." The American soldier has treated the prisoner of war within his custody, so long as he remained in his custody, humanely, and has given him the necessary food, because in that condition he could no longer contribute to the insurrection. Mabini was taken as a prisoner and fairly treated, but they deemed it unsafe even to permit him, the ablest and most influential man, perhaps, next to Aguinaldo, in the island, to remain in Manila. In order that the indirect effect of his influence might be destroyed, they deported him to Guam.

Mr. President, this torture to gain information has been widespread and is imputed to have been practiced for two years everywhere by every commander in the islands to the full knowledge



of those in authority there and those in authority here, because their attention has been called to it; and although there have been very many cases of soldiers arraigned and tried for various offenses, not one soldier, so far as the record has thus far disclosed, has been tried for the infliction of the torture known as the water cure.

Ah, Mr. President, it goes to the extreme. Sometimes it is the water cure, sometimes it is the revolver held at the head of the school-teacher, sometimes it is digging a hole and placing the Filipino in it and covering him to his neck with dirt, and then sprinkling sugar over his head to attract the voracious ants of the islands to torture him until he makes a declaration of the desired information. And when the information has been obtained in this way, inculcating whole cities or towns as having in some degree participated in the insurrection, based upon such information, elicited by such torture, the torch has been applied to the towns, and the habitations of men, women, and children have been swept from the face of the earth.

Ah, the Senator from Indiana says that we on this side are moved by partisan considerations. My friend from Indiana, I believe, has not lost all of the instincts of humanity. It may be that things like this—the slaughter of little children and helpless women, the punishment of the innocent in order that possibly no guilty man should escape—can not arouse him to any expression as if any of these things were not bringing some dishonor upon the glory of the American name.

Mr. President, I think that those of us who stand here and are willing to make these statements, based upon facts and the record, are not being exactly treated with that degree of respect which the cause which we espouse entitles us to. It seems strange, indeed, that the Senator from Massachusetts and the Senator from Indiana seek to spend their time in quibbles about Copernicus and Galileo. They may find flaws in my history, but they have never, so far, been able to dispute a fact or destroy the force of an argument.

Senators upon the other side, you who are true representatives of the spirit of American institutions, do not, I believe, feel in your hearts that we on this side are moved wholly by partisan or unworthy motives. If you think we are, let the American people be our judges. Let history pronounce upon our acts. Whatever our political fortune may be, I will be satisfied with it, only that in the end the American people remain true to its instincts of humanity and to the purpose to preserve the integrity and the honor and the glory of this country with all that it implies.

For a century and a half in the winning of the West, in the struggles which, step by step, we have moved from the Atlantic to the Pacific and encountered foes, savage and brutal in the highest degree, in what time in our history has anyone representing the authority of this Government ever dared to resort to the brutality which was supposed to be characteristic only of the darkest ages?

Mr. President, I have no apology to make for any statement or explanation which I have made. When I have gone through these facts, when I have seen these things developed, startling to every man moved by a sentiment of humanity, I confess that at times I have cried out, and cried out perhaps in extravagant language, which in cooler moments might not probably be uttered; but it has been the exclamation of an honest purpose and a sentiment of indignation aroused upon the establishment of facts which no one could have believed a year or two ago would have ever been brought into existence in the history of this Government.

Mr. BEVERIDGE. Mr. President, I should not again intrude upon the time of the Senate but for the statement by the Senator from Utah that the testimony of the universal kindness of American soldiers and officers to Filipino prisoners and to the Filipino people as well was not relevant to this discussion. It seems to me that it is most highly relevant to this discussion, since the question is the treatment of those people by our soldiers and officers and the relations existing between them.

I noted with surprise, and I may say with concern, when I read the very able speech of my friend from Utah, that he did not state any of the testimony upon that side. I can not find it now, but the Senator can tell me if I am wrong when I say that I think he referred to the testimony of one Mr. Davis. Since the Senator said that it is not relevant, and since the Senator denied that there has been testimony here not only as to prisoners, but as to Filipino people in general, I will take a little time to read such of the record as I have on my desk, deferring to a future time for the rest of the record, and while it seems to concern my friend from Tennessee [Mr. CARMACK], as is perfectly natural, I assure him that it will not take long.

Mr. CARMACK. What did my friend from Indiana say?

Mr. BEVERIDGE. Nothing but a very pleasant reference to the Senator from Tennessee. This is the examination of this man Davis:

Q. How long were you in the islands?

A. I was there from October 30, 1899, to March 4, 1902.

Q. During this time you were in active service in the suppression of the insurrection?

A. Yes, sir.

Q. The place where you were, the American military authorities were actively engaged in establishing peace?

A. Yes, sir.

Q. And conditions of war prevailed?

A. Yes, sir.

Q. You were serving under General Hughes, were you not?

A. Yes, sir.

Q. You know General Hughes?

A. Yes, sir.

Q. General Hughes, in his statement before the committee, testified as to the humanity and kindness shown by American soldiers and officers to Filipino prisoners. You have observed, have you, in your service Filipino prisoners in our possession?

A. Yes, sir.

Q. You may state to the committee what the treatment was of American soldiers and officers as to kindness or otherwise.

A. Yes, sir; they received all kinds of kindness.

Q. When sick were they or were they not taken to our hospitals?

A. Yes, sir.

Q. By what physicians were they attended, if any?

A. I could not tell you.

Q. Was the food furnished Filipino prisoners abundant?

A. Yes, sir.

Q. Was there any hardships inflicted on them?

A. No, sir.

By the CHAIRMAN:

Q. What was the general treatment of the Filipinos by the soldiers, as you observed it?

A. It was very good, as far as I know of, by the Twenty-sixth Regiment.

By Senator BEVERIDGE:

Q. Very good as far as you saw?

A. Yes, sir.

Q. This was true not only with reference to the Filipino prisoners, but with reference to the natives in general?

A. Yes, sir.

Q. What instructions did you have, if any, from your superior officers concerning your kindness and deportment and consideration to the natives?

A. To treat them well.

In the statement of this man's testimony I ask the Senator from Utah why he did not refer to that most pertinent statement? This is not all. The Senator from Texas [Mr. CULBERSON] took it up in order to find out whether he would stick to the statement that his instructions were to treat the people at large kindly, generously, considerably.

Q. In answer to Senator BEVERIDGE, you said that the conduct of soldiers toward the natives was kind and considerate?

A. Yes, sir.

Q. I do not suppose you mean by that that the water cure inflicted was pleasant and agreeable, did you?

A. No, sir.

By Senator BEVERIDGE:

Q. You meant, did you not, the general conduct?

A. Yes, sir.

Q. And the everyday attitude and action of the soldiers toward the natives and prisoners?

A. Yes, sir.

Now, Mr. President, this is not all, but I shall not detain the Senate further this evening. I arose, as I explained in the first instance, only to correct a mistake which it seemed to me my duty to answer on the spot. The sum of it all is that if you are going to repeat some of the testimony of the witnesses, and not only repeat it, but dress it up in language of your own where it is against the American soldier, I beg of you in fairness to repeat such of their testimony as is in favor of the American soldiers, and in the current of whose testimony there is not a break.

Mr. TURNER. Mr. President, since we have had the O'Hearn incident elucidated, so far as the very limited testimony before the committee is capable of elucidating it, and now that my distinguished friend from Indiana [Mr. BEVERIDGE] has finished his remarkably eloquent and active effort, pitched on high and statesmanlike grounds and not for political purposes at all, intended to satisfy the country that every one on this side of the Chamber is engaged in assailing the honor of the American Army, and that he and his confrères on the Republican side are the sole and only defenders of the Army, I wish to say a few words pertinent to the bill now under consideration. I shall not follow the Senator from Indiana further than to express the hope that his brilliant effort will have the statesmanlike effect which it was designed to have in the State of Indiana.

I listened to the speech which the junior Senator from Massachusetts [Mr. LODGE] delivered yesterday, I will not say with pleasure, but with a weird kind of fascination. His recital of the bloody incidents in history, his portrayal of the brutalities practiced upon American soldiers by our future Filipino brothers, his admissions of the cruel reprisals practiced by American soldiers in return upon our future Filipino brothers, all pictured out with that literary finish of which he is a master, and with that historical accuracy on which he so justly prides himself, held me in my seat against my will, and enchained my mind as a bloody tragedy enacted before our eyes holds us spellbound with awe and horror. It was not until after he had concluded that the reflection came to my mind, how easy it would have been, with the aid of a little reason and common sense at the time the Spanish treaty was before us, to avoid the necessity for that horrid



and bloody recital, and how certainly we would have avoided it if we had been able to project our minds forward to this year of grace 1902 and see that which the Senator portrayed to us so vividly.

My purpose in rising now is not to attempt to answer the speech of the Senator from Massachusetts. It could not be answered. It does not need any answer, because, barring a few unseemly flings at Democratic Senators and considering it apart from its spirit and purpose and tone, it was the best speech that has yet been delivered in this Chamber against the passage of the bill now under consideration. My purpose here and now is to supplement that speech in my feeble way, and to drive home, if I can, the one certain and inevitable conclusion which necessarily follows from the facts which he portrayed with so much vividness. That conclusion is that it is unwise and unjust and unpatriotic, in view of the facts which he has stated to the American Senate and the American people, to attempt to chain to ourselves and make a part of our permanent territories for all time to come the Philippine Archipelago. Yet, Mr. President, with the details set forth by the Senator from Massachusetts ringing in our ears and freezing our blood with horror, we are told that this bill is to be put through Congress under whip and spur, without a moment's surcease for consideration and for the gathering of additional facts on which to base intelligent consideration. Not even the testimony at hand which might be brought here and given to us before we are to vote upon this bill are we to be permitted to have, because it has only been two or three days since the Philippine Committee turned down the demand of the minority for the summoning here of witnesses whose testimony would have been of incalculable value to Senators in making up their minds concerning the wisdom of this measure.

We are told that we can not have Aguinaldo and Mabini here because they were insurgents, and yet General Bell wrote to our commissioners at Paris when they were formulating the Spanish treaty that Aguinaldo was an honest man and an able and an upright man; that he had the faculty of commanding the confidence of the people, and that he did command, more than any other man, the confidence of the Filipino people; and this refusal, based on the fact stated, was in the face of the fact that hundreds of insurgent officers who have surrendered and taken the oath are now in the employment of our civil government in the Philippine Islands, and in the face of the further fact, told to us by the dispatches some time after Aguinaldo was captured, that he and others of the prominent officers of the Philippine insurgent government had taken the oath of allegiance to the Government of the United States. We ought to have their testimony here, because the Filipino side of this controversy has never been heard from beginning to end.

We are told that we can not have Howard W. Bray here because he is an Englishman, as if that militates against his truthfulness. Howard W. Bray lived in the islands for eighteen years before the outbreak of the Spanish war, and his letter, considered by our commissioners in Paris, stated with entire accuracy—with an accuracy almost amounting to prophecy—the result of attempting to take the Filipino Archipelago without the consent of the Filipino people.

We are told that for some reason—I do not know what—we can not have a couple of correspondents here to testify concerning that which they saw.

Mr. LODGE. Because, on inquiry, it was found that one was in Pekin and the other in South America. I have been since informed that the one who was supposed to be in South America is here, and it is the intention of the committee to call him.

Mr. TURNER. If Major Gardener can come here, leaving Manila on the 15th of May, in time to testify at this session of Congress, we can get these correspondents here, whether they are in Pekin or South America.

We are told that we can not have Major Gardener here until, within the sound discretion of the Secretary of War, he sees fit to permit him to come. That is the most remarkable proposition I ever heard. The several statements made by our friends upon the other side as the reason why we can not have Major Gardener here form the strongest proof, to my mind, that they do not want him to come, and do not propose that he shall come until after the present session of Congress shall have concluded. The junior Senator from Maryland [Mr. McCOMAS] said that we ought not to have him come because it would be necessary for us to go to the expense of a cablegram to bring him. That is the first idea which appears to have occurred to the other side. My distinguished friend the senior Senator from Iowa [Mr. ALLISON] thought that the sending him a message to come here would be decorating him with some kind of an honor. He seemed to think that he had been a very swift witness and that we ought not to confer any honor upon him. But my distinguished friend the senior Senator from Wisconsin [Mr. SPOONER] brought the heaviest batteries to bear, as he always does, against the proposi-

tion to bring Major Gardener. He said, "My God, are you going to invade the province of the Executive Departments? Can you constitutionally do anything of that kind? Can you interfere with the operations of war?"

Mr. SPOONER. Mr. President—

Mr. TURNER. I believe he did not say "My God;" I think I put that in myself. [Laughter.]

Mr. SPOONER. I will allow the Senator to withdraw that. I want to call the Senator's attention to the fact that the objection I made to the resolution when it was first presented had no reference whatever to the question whether Major Gardener should be called or not, for I expected to vote for the resolution if properly amended to call him. But I will ask the Senator, for whom as a lawyer I have the profoundest admiration and respect, if he considered the objection I made to the resolution as it was introduced a sound or an unsound one. Does he think the Senate could pass a resolution directing the Secretary of War to order an officer to come from Manila here or to go anywhere? I did not object to a request of the President.

Mr. TURNER. In so far as there was an implication in the Senator's objection that the Congress of the United States could not bring any officer here at any time it pleased, no matter in what service he was engaged, I say that it was unsound. The idea that Congress, legislating for 80,000,000 people and dealing with the rights of 10,000,000 other people, can not bring here at any time any individual, without regard to the particular service in which he is engaged, is a proposition that does not meet with my assent. I do not believe there is anything in it.

Mr. SPOONER. Does the Senator think—

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. TURNER. Yes, sir.

Mr. SPOONER. I ask the Senator whether he thinks Congress could have brought General Thomas from the battle of Chickamunga to give testimony before a committee?

Mr. TURNER. I think Congress could have sent for General Thomas to come here at any time if it needed his testimony, and could have brought him here. I think it could have brought him from the field in the middle of the battle of Chickamunga if it had wanted to do so. The Congress did all through the civil war exercise that right through its Committee on the Conduct of the War, and so far as I know the proposition was never made at that time that Congress, in legislating and in securing the data upon which to legislate, could be hampered by the discretion of the President of the United States or the Secretary of War.

But now it has been discovered, as an additional reason for not bringing Major Gardener, that General Chaffee has ordered a court of inquiry to look into the matters reported about by him, and it is said we can not take him away from that. Mr. President, that court of inquiry was ordered by the Secretary of War for disciplinary purposes, as stated in the order. He wanted to discipline somebody, and it is said, "My God"—no; it was not said "My God" either [laughter], but it is said, "Are you going to take away this officer and interfere with this procedure in the Philippine Islands, brought in the interest of justice? Can that be done? And the distinguished senior Senator from Alabama [Mr. MORGAN] rose in his seat and very gravely said if those were the facts it could not be done. The idea that Congress, legislating for the government of ten millions of people, is to be hampered in the securing of the information that it needs in order to reach an intelligent judgment by some little court of inquiry somewhere, held for disciplinary purposes, is the most remarkable proposition that I have ever heard stated in any legislative body. Must we adjourn Congress or postpone necessary legislation to give the Secretary of War an opportunity to discipline somebody?

This matter of obstruction placed in the way of ascertaining facts necessary to enable Congress to deal intelligently with the Philippine question satisfies my mind that a great change has come over the dreams of our Republican friends since the beginning of the present Congress. The attitude which they maintain to-day is very different from that which they took at the time the investigation of affairs in the Philippines was first entered on some months ago. That investigation was forced, if I remember aright, by the resolution of the senior Senator from Massachusetts [Mr. HOAR], providing for the appointment of a select committee to proceed to the Philippine Islands and there investigate the condition of affairs in the islands, and particularly concerning the extent to which they had been pacified and the manner and method of their pacification. I well remember the aggrieved tone and manner of the junior Senator from Massachusetts [Mr. LODGE] at this proposed invasion of the prerogative of his committee, and his confident assertion that his committee could meet and fulfill here in Washington every office which it was proposed that this special committee should perform in the Philippine Islands, and that it was ready and willing and anxious to summon here and examine



every witness suggested by any Senator who it was thought could throw any light, even the most remote light, upon the affairs in those far-off islands. I wish to be respectful to my fellow Senators and to observe the rules of the Senate provided to secure orderly debate, but I shall feel constrained to believe and to declare, if the present method of the Philippine Committee be continued, and particularly if it continues to decline to summon witnesses who have peculiar means of knowledge, that its purpose is not to secure a full and fair investigation, but a one-sided and partial investigation; that it does not want the truth, the whole truth, and nothing but the truth, but has determined to strangle the truth, for our armies, under the compulsion of superior authority, are strangling liberty in the Philippine Islands.

Mr. President, I complain not alone at the tardy and dilatory tactics displayed by this committee and of its evident purpose to shut out, as far as it can, pertinent facts; but I complain that it has apparently failed to understand and appreciate the breadth and scope of the investigation which the present situation requires, and which the American people demand and have a right to expect at its hands. We are called upon to-day to take an irrevocable step in the development of our policy toward the Philippine Islands. We have never before been brought face to face with a proposition of that kind. Hitherto everything has been tentative and in the subjunctive mood. No one has ever undertaken to say what our permanent relations to the Philippine Islands should be. The proposition has been wait, wait for developments; wait until American authority has been established there, it has been said, and then trust the American people to deal justly and generously with the Filipinos in the spirit of our institutions and in accordance with our American traditions. But to-day we are asked to legislate in such a manner as to fix forever the status of those islands as a part of the territories of the United States, and a bill, called by courtesy a civil-government bill, is being pressed upon our consideration, and it is expected that we will enact it into law. It seems to me, before we take an irrevocable step of that kind, that there are many facts not now patent to Congress which we ought to know, and concerning which there ought to be a full and fair and honest investigation. Do the Filipino people as a whole want our rule? Are they satisfied to come into political union with us? Can we ever educate them up to a conception of Anglo-Saxon ideals of government and make them useful, happy, and contented citizens of the American Republic? Or have we, in the attempt to bring about that humanitarian and philanthropic object, entered upon a never-ending struggle, which will cost us so much in blood and treasure and demoralization that we ought, in justice to our own people, to abandon the struggle while we may still do so without too great a loss of prestige and reputation? That our institutions will make for the happiness and well being of any people who can understand and appreciate them no one on this side of the Chamber is disposed to deny; but do the Filipinos understand and appreciate them, or will they ever do so, and are they now, or will they ever be, well affected toward them and toward the American people? Or are they like the caged eagle which beats its wings and bruises its breast against the bars, but ever, so long as life lasts, remains wild and untamed? Mr. President, wild things, under the providence of God, have rights in the world; and it is cruel and impracticable to attempt to constrain them to an order of things which they can not understand and will not accept. If the Filipinos are to be placed in that category, if they love us not, and are determined to be not happy in union with us, it is not only cruel, but it is the very height of impracticable folly for us to attempt to constrain their will to our own desires in the premises.

Who knows anything certain upon these subjects? Nobody. We are in a state of profound darkness, with only an occasional ray of light straggling through, and that of such a character as to bring disquiet to our minds rather than assurance. Pride may bid us go forward in a preconceived course; greed and avarice may urge it, temporary political advantage may seem to make it desirable, but enlightened statesmanship and exalted patriotism demand light before shaping a final and irrevocable course.

Mr. STEWART. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nevada?

Mr. TURNER. Yes, sir.

Mr. STEWART. I should like to inquire of the Senator if we should pass this bill or any other bill in the same direction, to remain in force for twenty years or any indefinite length of time, Congress might not then allow the Filipinos to set up an independent government, if they felt so disposed and found that it was proper for them to do so? In other words, does this bill commit Congress to a policy to continue indefinitely, with no possibility of change, the present government in the Philippines? I understand that to be the argument of the Senator, and I want to know if his position is that if this bill is passed the thing is finally determined?

Mr. TURNER. Mr. President, I base my argument upon the decision of the Supreme Court of the United States, that whenever civil government shall have been established in any one of our newly acquired possessions, then and thereby and from that moment it becomes a part of the territory of the United States for all purposes, and upon the proposition of the distinguished Senator from Wisconsin [Mr. SPOONER], which I heard him present here with great force some months ago, that territory having once been incorporated in that manner there was no constitutional power in the Government of the United States to part with it.

Mr. STEWART. Does the Senator indorse that doctrine?

Mr. TURNER. Which doctrine does the Senator mean?

Mr. STEWART. I mean the doctrine of the Senator from Wisconsin [Mr. SPOONER], as stated by the Senator from Washington [Mr. TURNER].

Mr. TURNER. It seems to me to have a great deal of force. I know that Senator to be one of the ablest constitutional lawyers in the country, and I am disposed to accept as sound the position which he took with reference to that matter.

Mr. STEWART. Then will the passage of this bill end discussion on the question of retaining the Philippines?

Mr. TURNER. Yes; it will end the discussion if these propositions be true; but at what a cost? I say that we have enough before us to justify us in demanding light before we take an irrevocable step of that kind; and I say that we do not have that light before us now; and that it does not appear that the Philippine Committee or the Senate of the United States proposes that we shall have that light before we are forced to vote upon this bill.

Mr. STEWART. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nevada?

Mr. TURNER. Yes.

Mr. STEWART. The Senator has made me very much in favor of this bill by his discussion, because I am in favor of retaining the Philippine Islands, and if we can end our troubles regarding them by the passage of this bill I shall be very anxious to vote for it.

Mr. TURNER. Do I understand that before I rose to speak the Senator from Nevada was opposed to the bill?

Mr. STEWART. Oh, no.

Mr. TURNER. Mr. President, if we had waited for light before our initial action in the Philippines we would now have no step to retrace. But we did not do so, and we have been stumbling ever since along a rough and stony road, without any visible ending in the direction whence we are traveling and with every finger board pointing in a contrary direction and saying to us, "Go back, go back." The leaders of the Filipino people begged us to hear them before we took the first step. But no; we were sufficient unto ourselves. The junior Senator from Connecticut [Mr. PLATT] gave the watchword and set the pace on this subject at the very outset, when, in the endeavor to stir the zeal of the flagging and to buoy up the spirits of the faint-hearted, he exclaimed: "Oh, for the faith and the courage of the fathers!" as if any government was ever conducted on faith and courage was of any value except in aid of the resolutions of prudence.

We went forward not only without light, but in the face of light. We would not hear the Filipinos. It was nothing that they had stood by our side as friends and allies in the war with Spain; it was nothing that we were dealing with them and their liberties and their country; it was nothing that they begged and implored us to listen to their entreaties and to give heed to their warnings. We were a great and mighty nation, and they weak and insignificant. We were a world power, and they insects in the dust to be crushed under our victorious chariot wheels, or to light on the hubs and revolve with their revolutions, as they might think best; but listen to their weak and puny voice we would not, because some of us thought it would be in derogation of our dignity as a great and powerful and mighty nation. This was sinning for the want of light.

But in our pride and arrogance we sinned in the face of light. For months before the ratification of the Spanish treaty, in the fall of 1898 and the spring of 1899, the Filipinos had maintained toward us a state of armed neutrality. They were careful not to resort to acts of hostility, because they could not believe, as many minds in this country could not believe, that without provocation we would turn and rend our friends and allies, and they continued to believe to the very last, in spite of the many cumulative evidences to the contrary, that we would ultimately withdraw our pretensions to their country. But they were careful to leave no doubt in the mind of any person that they were prepared to fight even our country, if necessary, in defense of their dearly bought and highly prized independence. The reports of our military officers, and particularly those of Merritt and Otis, to the President were full upon the subject. The letter of General Bell to our peace commissioners at Paris was also full upon the subject. Here is what Bell said to our peace commissioners—



and it is well to recur to a little ancient history occasionally—General Bell said:

There is not a particle of doubt but what Aguinaldo and his leaders will resist any attempt of any government to reorganize a colonial government here. They are especially bitter toward the Spaniards, but equally determined not to submit any longer to being a colony of any other government. What they would like best of all would be a Filipino republic with an American protectorate, for none realize their inability more clearly than they to maintain a republic without protection of some stronger power. Though they would prefer protection from America, they would accept it from any government save the Spanish.

But, notwithstanding these warnings, we went forward. We were not only blind to that which was transpiring before our eyes, but we were deaf to that which was dinning into our ears. A magnificent vision of empire had arisen before us—we could not believe that it was a mirage—and it made us blind to the most significant happenings. The whisperings of ambition had entered into our minds, and they made us deaf to the most insistent warnings. I want to put this proposition to the Senate: If any Senator had conceived at the time the Spanish treaty was pending here that it would lead us into war with the Filipinos in the effort to establish our rule over their country, would that treaty have received a single affirmative vote in this Chamber?

Mr. STEWART. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nevada?

Mr. TURNER. Yes.

Mr. STEWART. Is not the Senator aware that war was raging and that a battle had occurred the day before the treaty was ratified? The newspapers were full of it that morning. War was actually going on when the treaty was ratified.

Mr. TURNER. We were informed of the fact that there had been a collision, but I presume that no Senator at that time imagined that the application of the Filipinos for a cessation of hostilities would be denied by the commander of the American forces—an application made, in the language of those leaders, for the purpose of permitting the Congress of the United States to determine concerning the fate of the islands.

Mr. STEWART. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Nevada?

Mr. TURNER. Yes.

Mr. STEWART. Is not the Senator aware that he is on debatable ground all the time when he states what we propose to do or what we ought to do? Does the Senator not know that at the time the treaty was ratified war was existing and hostilities were going on?

Mr. TURNER. We did not know anything.

Mr. STEWART. We had knowledge of that at the time we ratified the treaty, but we were not advised that the Filipinos had made any advance toward peace at all. The fact is, war was going on, and that is a fact upon which we had to act when we ratified the treaty.

Mr. TURNER. We did not know anything then, and we do not know very much more now. That is my objection to the attempt to force this bill through Congress at this time without giving all the facts to it and to the American people. We did not know that that step of ours would lead to permanent and continuous war, and in that respect we sinned in the face of light, and then and thereby opened a Pandora's box of evils upon the country which should forever be a warning to us against hasty and ill-considered action. But we became involved in war. Then we were told that, since we had taken the Philippine Archipelago without the consent and against the wishes of the people of those islands, it was our duty to make our right good. And now we are told that we have made the right good, but that, I respectfully submit, depends upon more than the mere question of physical dominion. That depends upon more than the mere question of peace and order in the islands. Peace and order may be enforced upon any people by arms, if only the arms be strong enough and rigorous enough. But the answer to the question whether we ought, in justice, in fairness, and in good conscience, to remain in the archipelago is written in the minds and the hearts and the disposition of the people of those islands. That is where we ought to look for it; that is where we have scrupulously refrained from looking for it up to this time. Are the islands in truth pacified? Are they pacified outwardly as well as inwardly? If not, it is a great crime against the Filipino people, and it is a monumental crime against the American people for us to undertake to enforce our rule upon them. Next to the misery of those who suffer slavery is the misery of those who inflict it. The sting is mutual; the bane, in the long run, equally harmful to both. And let no man say that it is impossible to inflict slavery under American rule. American rule without American constitutional limitations is as much slavery as would be the rule of Russia, or of Germany, or of England, or of Spain—just as much. Daniel Webster declared—and a greater philosophic truth was never declared by any man since government began—that no government imposed by a foreign

power upon another people, no matter how just and how mild and equable it might be, could ever bring happiness to that people. If that be true, to constrain the Filipino people to our government against their will is to constrain them to misery and unhappiness, and therefore necessarily to constrain them to slavery.

Mr. President, because we misjudged conditions in the Philippines in the outset is no reason why we should continue to do so. One mistake does not necessarily call for another. Since we are still free to pursue any course that we may please in the Philippine Islands, we ought not to part with that freedom which we still preserve, not only for the protection of the Filipinos, but for the protection of our own people, until every possible source of light has been exhausted and the conscience and the judgment of Congress enlightened and informed to the fullest extent. We have never yet heard the Filipino side of this controversy. Why should we not hear it to-day before we act? We have never, in fact, heard the American side, which involves the truth as to the conditions now prevailing in the Philippine Islands, except from our returned officials. Why should we not call before us others who have equal knowledge upon the subject and who are free from the bias produced by the war and the strife which has been going on in that unhappy country?

The examination of a few private soldiers, of three general officers, and of one distinguished civilian is the sum and substance of the work done by this committee during the four or five months that it has been in session. Those soldiers have deposed to acts of cruelty and of barbarity which might be expected on the part of the soldiers of any nation in a warfare such as that which we have been compelled to carry on in the Philippine Islands.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Indiana?

Mr. TURNER. With great pleasure.

Mr. BEVERIDGE. Does not the honorable Senator know when he refers to the small number of witnesses heard before our committee that most of the time in the examination of the general officers he mentions was taken up by the Senators of the minority with their examination of the witnesses, and that it is not due at all to any delay or even to any particular length of time consumed by the Senators composing the majority of the committee, most of the time having been occupied—nearly all of it, in fact—by the examination of witnesses by Senators who oppose the bill?

Mr. TURNER. I know but little about the testimony taken before the Philippine Committee. I have not read it in its full detail, but have contented myself with the summary published from day to day in the newspapers. I heard more of it to-day in the parts read by the Senator from Indiana than I ever heard before, and the thought struck me as he was reading that he himself appeared to be the chief impediment to the progress of the committee, because every time a question was asked my distinguished friend would get up or sit in his chair—I do not know which—and say, "Well, I do not think that is pertinent," or "You are trying to make this witness say something he does not intend," or something of that kind, and the colloquy would run through five or ten minutes of the time of the committee and the witness would not get an opportunity to answer until after the Senator had run all through the gamut of interruptions and objections.

Mr. BEVERIDGE. If anything of the kind occurred, it does not appear in the testimony which I read. The testimony I read related to the bringing out of the other side, and the questions asked went directly to the point, all of them very brief, as to the general treatment of Filipino prisoners and people by our soldiers. So the statement which the Senator makes must be derived from some other source than the testimony read by me.

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Tennessee?

Mr. TURNER. Certainly.

Mr. CARMACK. I simply wish to state for the information of the Senator from Washington and as a matter of history that the Senator from Indiana has been exceedingly pestiferous in the committee. [Laughter.]

Mr. BEVERIDGE. I accept that from my very good friend, the Senator from Tennessee, as a decoration of distinction.

Mr. TURNER. I have stated the nature of the testimony of the private soldiers. The three distinguished general officers to whom I have referred—I do not want to do them an injustice; I have read nothing but the summary of their testimony in the newspapers—it seemed to me were spending the principal part of their time in flippant attempts to fence with the members of the committee, and so far as they did depose to anything, it was simply a résumé of the reports made by them when they were in command in the Philippine Islands. The distinguished civilian to whom I have referred, Governor Taft, impressed me as testifying fully and fairly and with appreciation of the gravity of



the proceedings, but his testimony was of little value because of his late advent into the islands and because his tour of the islands, from which, chiefly, he drew his conclusions, was a triumphal progress, supported by the military power, following on the heels of its recent victorious achievements, and designed to gather up and conserve the fruits of those achievements. Of course, malcontents were kept out of his way, and, of course, there were those among the Filipinos, as among every other race on earth, mean enough and craven enough to gather up the crumbs which fell from the table of the conquering hero. And having been wine and dined and courted and feted and flattered, it was natural that Governor Taft should imagine that all was lovely and serene, and that the people were well disposed toward the power which he represented and for which he stood. I have no doubt that he was testifying to his honest convictions upon that subject before the Philippine Committee, but the echo of his voice had hardly died out in this Capitol before the world was startled with the news of the massacre at Balagiga, an act so brutal and ferocious, if you will, that it exhibited with the vividness of a lightning flash the energy of hate felt toward American rule by that people, who only three years ago welcomed the Americans to their country with tears of joy and with acclamations that they were the deliverers and the saviors of the Filipino people. Following on this massacre came the order of Chaffee to his subordinates to treat every Filipino as an enemy until he had conclusively proven a contrary status, and asserting in support of that order that hatred of American authority was the rule throughout the entire archipelago and loyalty was the exception. And this was followed by the reconcentration order of Bell, whereby American arms condoned the inhumanity and the cruelty of Weyler by a servile imitation of his methods and stultified all the high professions with which we took up arms to expel Spain from the Western Hemisphere. And this was followed, it now appears, by the order of Smith, to burn and slay and make Samar a howling wilderness and to spare no one above the age of 10 years.

Mr. President, history records many instances of cruelty and barbarity practiced in warfare. We shudder at the atrocious acts of the Huns when they overran ancient Rome, and the name of Attila, their leader, has become the synonym for all that is ferocious and bloodthirsty. He is known to history as the Scourge of God. But the Huns were barbarians and they practiced that to which they were accustomed. The world stands appalled at the record of cruelties practiced by the Duke of Alva in the Low Countries; but Alva fought in the name of religion, and religious zeal when aroused to the point of war has ever been merciless. Even liberty, when pushed to the wall, has had its votaries of blood. The French Revolution shook the world with its struggle and paralyzed mankind with its ferocity, and it left behind, to be added to the bloody roll of human scourges, the names of Robespierre, Marat, and Danton. But it remained for an American soldier, in the twentieth century, representing the highest type of civilization, in a quarrel having not a single element of religious strife, having for its professed object the accomplishment of benevolent and philanthropic purposes, to raise his name to a preeminence of bloody infamy which places it above the names of any of the scourges of humanity to whom I have referred. This monster in human form, in cold blood, devoted an entire province to extermination; the males over the age of ten years to slaughter, the females and younger children to the no less certain but the less merciful fate of starvation, because, bereft of their protectors, bereft of their homes, wandering with their young through a howling wilderness, what other fate than slow starvation was left for these stricken creatures and their unfortunate offspring?

Mr. President, when the Associated Press telegrams brought us the news of this order I refused to credit it. I said it was impossible that any American soldier could have issued such an order, and I confidently expected that the next wire from Manila would bring us an explicit contradiction. But, instead of that, we have had confirmation of it from day to day in the telegrams giving details of testimony offered before the court-martial for the purpose of justifying or at least extenuating it. I wish to read to the Senate the cablegram which brought us the news of this order. I have it before me. I read it to refresh the recollection of Senators.

MANILA, April 25.

The trial by court-martial of Gen. Jacob H. Smith on the charge of conduct prejudicial to good order and discipline began to-day. Gen. Loyd Wheaton presided. Col. Charles A. Woodruff, counsel for the defense, said he desired to simplify the proceedings. He was willing to admit that General Smith gave instructions to Major Waller to kill and burn and make Samar a howling wilderness; that he wanted everybody killed capable of bearing arms, and that he specified all over the age of 10 years, as the Samar boys of that age were fully as dangerous as their elders.

Mr. DOLLIVER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Iowa?

Mr. TURNER. Certainly.

Mr. DOLLIVER. I should like to ask for information whether there is any evidence that in the execution of that order any women or children were killed, and whether the ravages to which the Senator has referred in making that island a howling wilderness actually occurred?

Mr. TURNER. There is evidence that one American soldier, planting himself upon that order, directed his subordinates to take out 20 prisoners and shoot them to death because they declined to hunt roots for his command.

Mr. DOLLIVER. If I understand it, that was the marine command in the interior of the island, which has always been a howling wilderness, practically without any inhabitants at all.

Mr. TURNER. The Senator's understanding is different from mine. I understand that that occurred in Samar and that Waller planted himself upon this order—

Mr. DOLLIVER. But the testimony taken before the committee indicates—

Mr. TURNER. And that a court-martial has acquitted him upon the ground that he was justified by that order.

Mr. DOLLIVER. The testimony, if I have read it correctly, shows that the interior of the island across which Major Waller took a command of marines was an uninhabited country, which had never been penetrated even by the Spanish army throughout all the period of its occupation; and the testimony also seems to indicate that the execution of the prisoners was upon another ground, personal to the command and not under the order at all.

Mr. TURNER. The officer killed those prisoners after he reached the seashore and in an inhabited town, not because of any threatened demonstration that they were making toward his command—

Mr. DOLLIVER. Were any towns in the island burned?

Mr. TURNER. But because some of the soldiers had reported to him that the prisoners had declined to hunt roots for the command when going through the howling wilderness.

Mr. DOLLIVER. Has the Senator any information that any town in Samar was burned?

Mr. TURNER. I have no doubt towns have been burned in Samar, but I have no information on the subject. I have no doubt they have been burned, because they have been burned in other provinces, where General Smith had no jurisdiction and where the officers did not even have the protection of his order.

Mr. BACON. Will the Senator from Washington permit?

Mr. TURNER. Certainly.

Mr. BACON. The Senator from Iowa is mistaken as to the character of the island of Samar. The island of Samar was a populous island, and the Military Notes—I think that is the name of the publication—to be found in the War Department, estimates that the population was 280,000.

Mr. DOLLIVER. But, if I remember correctly, they were on the seacoast, and not in the interior, which is a mountain range.

Mr. BACON. The Senator is mistaken about that—

Mr. LODGE. That was the testimony of General Hughes, who was for three years in command there. He testified that the population was entirely in the seacoast towns—that the interior was a mountainous wilderness which had never been subdued or crossed by the Spanish troops. I do not know whether he knew anything about it.

Mr. BACON. I do not wish to state anything as a fact, because I do not profess to have personal knowledge.

Mr. LODGE. Hughes did.

Mr. BACON. We have information, however, which sometimes gives us very decided impressions in the absence—

Mr. LODGE arose.

Mr. BACON. I hope the Senator will pardon me for a moment.

Mr. LODGE. I did not mean to interrupt the Senator.

Mr. BACON. We sometimes have decided impressions gained from information which, while it does not amount to a matter of personal knowledge, at the same time is very convincing in its character, and I will state that I believe whenever there is an investigation made it will be found that there was a very active campaign in Samar prior to the time of what is known as the massacre in Samar, and that there had been prior to that time a very large loss of the population of that island as a consequence of the prosecution of the war.

It is a mistake, I am quite sure, to say that the population is or was limited to the seashore; and it is, I am quite sure, equally a mistake to say there had been no large number of towns in the interior of the island. I repeat that I do not wish to be understood as making that as an assertion upon my own knowledge, because I have none, nor do I wish to be understood as having any information other than that which any man gathers in general intercourse with those who profess to be informed. But upon that information I am myself convinced of the fact that Samar was far from being a wilderness and was a comparatively populous island. I am equally satisfied that it is now very far



from being a populous island. I have no doubt that the testimony is as stated by the Senators as to what General Hughes said.

Mr. DOLLIVER. He had been there.

Mr. BACON. Yes.

Mr. DOLLIVER. And he says in his testimony:

There is not a road across it. I had a road projected, and got it so that it could be used as a trail, but as a road it had not been finished when I left there. There was nothing but trails.

Mr. BACON. I do not want to interfere with the Senator from Washington, but I will state this if he will permit me: As the Senator from Iowa gives information from one officer, I will state that I have information from another officer, who possibly has had more actual experience in the interior of Samar than General Hughes had, to the effect that he had traversed it, and that he found the ruins of a great many cities and towns which had been destroyed; that he found very few people in the interior of the island; that he had seen by a military publication—I have forgotten its name—that, as I have already stated, the population was 280,000, and that in his opinion it would then amount to less than half of that number; that when he inquired of the people whom he found as to what had become of the people of Samar the reply to him was that a great many of them had died, and some of them had moved away.

I did not intend to interrupt the Senator from Washington to this extent, but I thought that the inquiry of the Senator from Iowa was based upon information which was in conflict at least with that which I had upon a matter as to which I do not profess to have personal knowledge.

Mr. BEVERIDGE. Will the Senator from Washington yield to me for a moment?

Mr. TURNER. Certainly.

Mr. BEVERIDGE. I would be the last Senator on this floor to question a statement of the Senator from Washington, as he well knows, but he made a statement concerning the killing of so-called prisoners which my vague recollection made me feel was inaccurate, so I came across and verified my recollection by the Senator from Massachusetts [Mr. LONGE] and the senior Senator from Iowa [Mr. ALLISON].

Those prisoners were killed by Major Waller because they were treacherous guides, and in killing them for that reason he was entirely within the laws of war, even between civilized nations. It was not under the order of General Smith, to burn and kill and make Samar a howling wilderness, but upon an entirely different ground in which he would have been justified, had the general order not been issued, under the general laws of war, as presented in the laws of war of the United States.

Mr. TURNER. We were told by the telegraphic dispatches announcing that Waller had been acquitted that he had pleaded the order of Smith in justification of his conduct, and that it had been accepted by the court-martial as sufficient. My recollection concerning the method and the manner of the killing of these prisoners by Waller is as vague as that of the Senator from Indiana.

Mr. BEVERIDGE. The Senator also remembers that one specification which he pleaded in defense of the charge against him was the specification which I have just named, to wit, the execution of treacherous guides under the general laws of war. That is the case as I understand it, and as I have compared it with the recollection of other Senators whose accuracy is well known and understood.

Mr. TURNER. I was going to say that my recollection is probably as vague as that of the Senator from Indiana. I think I remember, however, that the telegraphic dispatches informed us that these prisoners had been killed after the command of Waller had reached the seashore, and because he was informed by some of his men that some of the prisoners had been treacherous guides and had involved the command in the labyrinths in the wilderness of Samar, and that they had dug edible roots for themselves, but had declined to dig them for the command. Thereupon Waller, who was upon his cot, said to the sergeant in command, "Take these men out and shoot them;" and they were shot upon the seashore.

I do not know what are the rules of war concerning treacherous guides, but I do know that there is no rule of war, there can be no rule of war, which justifies a commander in saying to prisoners of war, "You shall become our guides; and if you will not, I propose to have you shot." I do not believe that any such transaction has occurred since civilized warfare became the rule and barbarous warfare the exception in the settlement of the quarrels of the world.

Mr. McCOMAS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Maryland?

Mr. TURNER. Certainly.

Mr. McCOMAS. I know the Senator has respect for judgments and for legal findings. The court-martial was composed, so far

as the telegram shows, of excellent men. It found in favor of Major Waller. The statement, a little more fully given, was that of the ten guides who had volunteered to help this expedition from the mountains down to the sea on the other side, nine proved treacherous, and that one was faithful; that they would feed themselves by roots and herbs, when food was exhausted, and would not give it to the members of the expedition. And thereafter, when, after unheard-of suffering, the expedition was rescued, Waller, as commander, ordered the death of the treacherous guides.

I have just sent for the rules of war, Dr. Lieber's codification, adopted by the Government, and I know in there is the express statement that when guides in territory volunteer service and are treacherous, they are then war traitors and liable to the penalty of death. That is the rule of war announced by Lincoln and Stanton in 1863, and it was reannounced in 1898 by President McKinley without any of the disapproval of the world. That is the statement.

Mr. TURNER. I leave the Senator from Maryland to wrestle with Lieber and the rules of war. Waller was not acquitted on the ground that these prisoners had done anything which authorized their execution, but he was acquitted upon the ground that he was justified in following the barbarous and inhuman orders of General Smith. That is the ground upon which the Associated Press telegrams tell us he was acquitted.

Mr. McCOMAS. The Senator does not mean to misstate me. I perhaps was not clear. I know that the court decided in favor of Waller. I do not know the decision nor the grounds of it, but the presumption is in favor of the verdict and the judgment until we know more about it.

Mr. TURNER. Have I in anything I have said assailed the correctness of the judgment of the court-martial?

Mr. McCOMAS. I think the Senator has not.

Mr. TURNER. No, sir; I have not attempted to do so.

Mr. CARMACK. Will the Senator allow me?

Mr. TURNER. Certainly.

Mr. CARMACK. Of course I do not know, and none of us knows, what evidence was produced before the court-martial. But I remember a brief report, in the telegraphic dispatches, of the address made by the judge-advocate before the court-martial, in which he declared that the evidence showed plainly that these guides who were charged with treachery had been perfectly faithful and loyal, and that there was no evidence to substantiate that charge. Of course, that was simply his speech, an address made before the court-martial; it may not have had any foundation; but it does seem to indicate that there must have been considerable evidence to the contrary of the accusation or the judge-advocate could not have made such an argument.

Mr. TURNER. It is true that Waller planted himself upon this order of Smith, and it is probably true, although I am not prepared to speak with any degree of confidence upon that point, that the court-martial ought to have acquitted him upon that ground. But if I were an Army officer and were to receive an order of that kind no compulsion which any superior could bring upon me would induce me to do the cruel and inhuman deed which Waller did there upon the seashore. Those who refer to matters of this character in this Chamber and in the other Chamber are not assailing the honor of the American Army. They are sustaining the honor of the American Army, or attempting to do so. Dishonor will not come from any American citizen or any American Senator denouncing such cruel and bloodthirsty acts. It will come from attempts to sustain them, and I advise my friends upon the other side, who are claiming that this side of the Chamber is attempting to derogate from the honor of the Army to bear that fact in mind.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER, (Mr. PETTUS in the chair). Does the Senator from Washington yield to the Senator from Colorado?

Mr. TURNER. Certainly.

Mr. PATTERSON. The Senator from Massachusetts and the Senator from Iowa were entirely mistaken when they suggested that Samar was only populated upon the seacoast or that General Hughes made any statement of that kind. I will read very briefly the statement of General Hughes.

Mr. FAIRBANKS. From what page does the Senator read?

Mr. PATTERSON. I read from page 553, at the commencement.

I suggested to the governor, General MacArthur, that Samar be transferred to me, in order that I might initiate offensive movements against the insurgents in that island. This was done. Operations began in May, and were still going on when I left there, and I think are still going on at the present time.

These operations are exceedingly troublesome, not from the force required, but from the fact that there are no roads and that the rivers have to be used as roads, and everything going into the interior has to get there afloat. The bars over which you get into the rivers have about 5 feet of water on them at high tide, and we had very few steam launches that would pass such bars.



The result of it was that the movement had to be made with a good deal of care and a good deal of preparation to see that after you got your troops into the enemy's country you could keep them supplied.

Then again:

The island was nominally subjected to Spanish rule, but they occupied only a few towns along the coast, such as Calbayoc, Catbalogan, Laguan, and Guinan. But they had no possession of the island and could not and did not attempt to go into or visit the interior of the island.

Again:

It was perfectly quiet so long as they would let the fellows in the mountains do as they pleased, but they could not go in there without getting into trouble.

Then again:

While this was going on it became apparent that it would be necessary to occupy some of the posts on the south of the island, not that there was any force there, but the support for the insurgents in the mountains, their rice supply and their ammunition and different things were evidently being sent in by that route, and troops were sent down and occupied the main towns along that side of the island. The entire coast of the island of Samar, you might say, was then occupied by stations at various distances apart.

Then just one more quotation:

General HUGHES. I find in looking over the record of yesterday's proceedings that in the minds of some of the members of the committee there would seem to be a misunderstanding; that they think the only point at which the people of Samar collected was between the Hibitan and the Gandara. That is entirely a mistake. They were allowed to settle along the coast from Muao to La Granja; Lavezares; at the towns of Bobon, Catarman, Laguan, Palapay; on the east coast at Oraz, Borongan, Guinan; on the southwest coast at Santa Rita, Villa Real, and Catbalogan, and in the interior at Oquendo, Blanco Aurora, Tiveran, and possibly one or two others.

Mr. TURNER. Mr. President, the suggestion of the junior Senator from Iowa that Samar was already a howling wilderness appears to be very satisfactorily answered by the fact that Smith would not have ordered his subordinates to make a howling wilderness of what was already a howling wilderness.

Mr. DOLLIVER. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Washington yield?

Mr. TURNER. Certainly.

Mr. DOLLIVER. It would seem that the general character of the route taken by Major Waller across that island would be indicated by the fact that his command was reduced to the extremity of living on the roots of the forest.

Mr. TURNER. Major Waller's command crossed the mountain from one side of Samar to the other. I assume from what little I have read about it that that part of the island is a dense wilderness, and that Waller's command became involved in great difficulty both in finding their way and in finding food; but that Samar is a populated island, that it was not entirely a howling wilderness at the outset would seem to be proven to the satisfaction of anybody except the Senator from Iowa by this remarkable order of Smith's.

Mr. MCCOMAS. Mr. President, will the Senator from Washington allow me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Maryland?

Mr. TURNER. Certainly.

Mr. MCCOMAS. I will take but a moment to read the "instructions for the government of armies of the United States in the field:"

77. Guides, when it is clearly proved that they have misled intentionally, may be put to death.

I do not know Waller's case; I do not know the grounds of his judgment; but I have spoken of that rule, and I wanted to bring it to the attention of the Senator from Washington.

Mr. TURNER. To get back to the order of Smith, from which we appear to have digressed very considerably by this round of interruptions, I want to say that it is the most brutal, ferocious, and bloodthirsty act, in intent at least, of which history gives us any instance in war in the last three hundred years. Nothing comparable to it can be found anywhere in the modern history of the world. It is necessary to go back beyond the dark ages, to the age of positive and absolute barbarism, to find anything at all comparable to it. What a picture this order of Smith presents of the execution of that sacred trust devolved on us by Almighty God, of which we have heard so much from our pious statesmen and our political pietists. "Oh, you ungrateful Filipinos, why will you not accept the religion of our pulpits and the tax-burdened calico tendered you by our statesmen? Why compel us to kill and slay and burn and devastate in order that we may fulfill our God-given mission of uplifting you to the American standard? You perverse creatures, understand one thing: We are filled with so holy a zeal for your welfare, we feel the Almighty mandate lying on us so heavily that we propose to lift you up to our standard whether you wish it or not, and even though in doing so it becomes necessary to wipe you off the face of the earth, and to kill and burn and devastate until not a vestige of your race or your civilization is left for the eye of mankind to behold. We love you as a father loves his children; we yearn for your welfare with the bowels of compassion; but in the meantime let the slaughter and

the burning go on that the great God, whose law we interpret and whose sacred will we follow, may snuff the incense of your blood and see a burnt offering in the smoke that rises from the smoldering ruins which mark what was once your homes."

I have another evidence of the remarkable state of peace and amity and love and good will which our generals and governors have been telling us prevail—

Mr. HOAR. Before the Senator passes—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. TURNER. Certainly.

Mr. HOAR. Before the Senator passes to another point I should like to call his attention and that of other Senators to the map of Samar in the Philippine Islands in the official atlas of the Philippine Islands, issued by the director of the observatory at Manila, and published by our United States Coast and Geodetic Survey. It gives the names of the settlements and towns throughout the island, and the interior of Samar seems from this map to be quite populous. While there are a few spaces where there are no such towns, it compares quite favorably with Luzon in that respect.

Mr. TURNER. I am very much pleased to have the information which the Senator offers to the Senate. I have another piece of evidence which indicates very plainly and clearly the great degree of peace and amity and love and good will on the part of the Filipinos toward the Government and people of the United States of which our governors and generals have been telling the Senate through the medium of the Philippine Committee. This is a dispatch which I cut out of the Washington Star two or three days ago, and which I will read for the information of the Senate:

A dispatch from Manila yesterday says: The American chamber of commerce has passed a resolution indorsing the action of the United States army in the Philippines, in an endeavor to counteract what the members of the chamber believe to be the opinion prevailing in the United States that officers and soldiers have acted in violation of the rules of war. The preamble says the chamber is composed exclusively of American business men, who have been thrown into immediate contact with the prevailing conditions everywhere in the archipelago, and it was resolved that without the constant watchfulness and protection of the army in the Philippines no property or business interests would be safe, and that upon its influence depends the stability of the civil government. The resolution eulogizes General Chaffee, "whose earnest effort has sustained and assisted the civil authorities in the difficult task of the establishment of civil government," and praises "his good judgment and humanity, which have won him the admiration and affection of all loyal Americans in the islands."

These representations are made by the American business men of the city of Manila, who tell us that they are familiar with conditions everywhere through the archipelago, and that not only the business interests but the stability of the Government itself depends upon the constant watchfulness and the protecting care of the American Army. At the moment when this fairy story about the love and affection felt toward us by the people of the islands is being whispered into our ears, with Colonel This and General That and Governor Somebody Else assuring us that the people are devoted to our rule and anxious to realize its beneficent results, with the Secretary of War piling petitions upon our desks by the bushel basketful from the agonized communities in the Philippines who fear that their heartstrings will be rent by the withdrawal of our noble Army, this harsh and discordant voice comes to us across the waters from the American business men in the city of Manila, and it says to us, "Sustain and support the armies of the United States, because upon their constant watchfulness and their protecting care depend not only the business interests of this country, but the very life of civil government itself."

Does not this voice from Manila seem to require some further investigation than the Philippine Committee seem disposed to make concerning the present conditions in the islands? Those people fought Spain for three hundred years for liberty and independence. Never once during the entire time was she able to relax her vigilance or reduce her military establishment.

Mr. BEVERIDGE. Mr. President—

Mr. TURNER. One revolution followed the other with the certainty and the regularity of the seasons.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Indiana?

Mr. TURNER. Certainly.

Mr. BEVERIDGE. With reference to the Senator's statement about our not at any time being able to reduce the number of our soldiery there, I ask him whether he has in mind the fact that Spain had at the time of the first outbreak immediately before our war with Spain and for a long time prior to that period only 1,500 Spanish soldiers in the islands?

Mr. TURNER. All I know is that they surrendered some 18,000 soldiers to us on the fall of Manila.

Mr. BEVERIDGE. That, Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Indiana?

Mr. TURNER. Certainly.

Mr. BEVERIDGE. That, Mr. President, is precisely the fact. At the first outbreak of the insurrection, and for a long time



prior thereto, Spain had in the islands altogether about 1,500 Spanish soldiers, with which she maintained all of the government that she cared to maintain, apparently. The 18,000 which she surrendered to us were sent there after the insurrection began, and were kept there under conditions of war. When conditions of peace prevailed, and they had prevailed for years before, Spain did not require a large armament there at all, but had only 1,500 men, of whom 700 were in Manila.

Mr. TURNER. Spain maintained all the time in the archipelago all the force that she could profitably employ. She never was able to profitably employ as many soldiers as we have had there, because in all of her history she never was able to do anything except to maintain her supremacy over a few of the seaports. The balance of the islands were in continual and continuous insurrection against her. As I said, revolutions followed one the other with the regularity and certainty of the seasons. The fighting was fierce and cruel, and the reprisals upon both sides were oriental in their cruelty. Can any man look with patience upon the prospect of such a condition of affairs following as the sequel of American rule in those islands? Can anyone look with patience upon any such a prospect as that? Yet have we not good reason to believe that if we go on and fasten our rule upon those islands so that it will be impossible for us consistently with our constitutional system to release them from our grasp, we are fastening upon ourselves, as Spain fastened on herself, three hundred years of insurrection and rebellion and war, with all of the horrid atrocities which oriental warfare requires both upon the part of the orientals and upon the part of those who war with them? Mr. President, the country wants light upon these questions. It wants further information. It wants to know whether permanent dominion in the Philippines is to mean perpetual war, and, if so, whether it is to be a war which shall cause the blood of civilized men to run cold with horror and loathing.

I received only the day before yesterday a letter from the city of Boston which gives something of an insight into the anxiety of the people of this country for a full investigation of these pertinent and pregnant questions. This letter inclosed a clipping from what the writer says is a Republican paper in the city of Boston. I wish to call the attention of the junior Senator from Massachusetts to what this Boston Republican newspaper says:

We are afraid that Senator LODGE does not "sense" the situation. He thinks it will not pay to summon the witnesses from the Philippines to come to Washington to tell what they know about the "kill all over 10 years old" policy which General Smith put into force in Samar. He says it will cost too much; that some of the witnesses will get here during the summer, anyway, and that others are Filipinos, and that we must not allow Filipinos to be witnesses.

The people of this country are in no mood for trifling. They are being taxed \$150,000,000 a year to keep up this wretched exhibition in the Philippines, and now we are charged with atrocities which cause our clergymen and others who weigh their words to find no comparison since the days of Herod. We are humiliated and disgraced as never before in our history. We want the truth, and we want no delay about it. If necessary, spend \$1,000,000 to get the witnesses here and give us all the facts. If, as suggested in the news to-day, these horrible orders came from the War Department and Smith and his crew were only obeying instructions, let us know that. The American people are thoroughly aroused, and want no blankets thrown over their heads. They want the truth, and they are going to have it. The man or men who try to get in the way will get hurt.

And why should they not have it? And why should anyone try to postpone or suppress the facts? No matter how bad they are, we want them; and if they are as represented, the people who are responsible must pay the penalty. But the great question is, What is the use of all this vast expenditure of money, this slaughter of Filipinos, this violation of the principle of self-government? Are any of us proud of this Philippines foray?

This is from the Boston Evening Record, of date May 1, 1902. I have a very interesting letter also, from the writer who inclosed this clipping to me. I do not mention his name, because it might be embarrassing to him should I do so; but in view of some parts of the speech of the junior Senator from Massachusetts, his letter is well worth reading.

I am satisfied that the people in Massachusetts at least are stirred to a greater degree than ever before since the civil war. The New England conscience has been reached. Inclosed you will find one or two cuttings which may not have come under your notice. The Boston Evening Record is a strong Republican paper.

It seems to me that one of the points to be presented to the country is the character of the Filipinos, so as to satisfy our people that they are not savages, but a Christian and a kindly people. Would it not be well to present such evidence to the committee? One of my friends, a young man of about 22 years of age, O. W. Woodbury, of Lynn, Mass., where I live, was a prisoner for nine months on the east coast of Luzon. He was wounded and captured at Baler, in Luzon, in April, 1899, being one of the party under command of Lieutenant Gilmore. He traveled the eastern coast of Luzon to the town of Bayombong, when he was rescued about Christmas of the same year. He is a young man of intelligence, of a good family, very reliable, and very loyal. I have his story in typewriting, which he has approved. I will send it to you if you desire it.

I may say that I have sent for it, and I shall take great pleasure in furnishing it to the distinguished chairman of the Philippine Committee when I receive it.

It is a story of kind treatment from the day he was captured to the day he was rescued. He and the other Americans with him were treated more like guests of the towns through which they passed than as prisoners.

Although the Spaniards at Baler had been shooting in cold blood every native that came in sight, no harsh treatment was given to them when they

were captured and carried to Bayombong with the Americans. I have thought that perhaps Mr. Woodbury might be a good witness before the committee. He would not volunteer. He intends to leave Lynn very soon, having secured a position as a petty officer on board a merchant steamer to sail soon for Manila and other ports.

Desiring to do what I can to expose to the country the iniquities of our doings in the Philippine Islands, I write this letter to you.

Mr. President, this morning I saw in the Washington Post a telegram from this same town of Lynn; a most remarkable story. I rejected it at once when I read it as being absolutely incredible and beyond belief, just as I rejected the story about this monstrous order of Smith as being incredible and beyond belief. But I feel it my duty to bring it to the attention of the chairman of the Philippine Committee in order that he may investigate, if he cares to do so, into the facts alleged in this letter. It appears to have come to the Washington Post through a special correspondent in the city of Lynn, and it purports to tell of statements made by a clergyman in that city. I think it proper to call it to the attention of the Senator, in order that he may take such steps as his conscience may seem to require to investigate its truth or falsity. The story, briefly, is that a thousand Filipinos were captured by an American command, and, because of the difficulty of provisioning them, they were taken out in squads, made to dig their own graves, and then, standing in their graves, were shot down in cold blood. I say I can not credit this statement; but I ask that it may go into the RECORD as a part of my remarks, so that it may receive the consideration of the distinguished Senator from Massachusetts.

Mr. LODGE. Will the Senator kindly read it?

Mr. TURNER. I will read it.

Mr. LODGE. I should like to have the benefit of the name of the officer who sent it, if it appears on the face of the paper.

Mr. TURNER. The telegram is as follows:

[Special to The Washington Post.]

PRISONERS SHOT IN SQUADS—AMERICAN DECLARES 1,000 FILIPINOS WERE SLAIN NEAR SORSOGON—SENSATIONAL CHARGES CONTAINED IN LETTERS RECEIVED BY REV. W. H. WALKER, OF BOSTON, FROM SON AT THE FRONT.

LYNN, MASS., May 6, 1902.

"One thousand Filipino prisoners shot in platoons over the graves themselves had been forced to dig; a priest, who acted in the dual capacity of father confessor and general, hanged before the slaughter of the prisoners and within their sight."

Such are some of the charges made by J. Pennett Walker, a private in Company I, Sixteenth Infantry, now at Sorsogon, in the Philippines, in letters to his father, the Rev. W. H. Walker, D. D., of this city. He is a special instructor at the Gordon Missionary Training School, Boston. Private Walker enlisted at the outbreak of the Spanish war, and was commended for bravery any San Juan.

The Rev. Dr. Walker has more than a dozen letters. He refuses to make them public, however, as he says: "The story is too fearful. My boy has written to me as son to father, and in the face of the inquiry now going on I fear it might bring him into trouble with his superiors."

"He writes of a 'lyke' he went on with men under Lieutenant Burr. A 'lyke' is an expedition in search of rebels. He writes that the detachment went to Trosin, 18 miles from Sorsogon, and took possession of a bamboo church there. They had hardly settled themselves in the church when 300 insurgents attacked them, armed with bolos and daggers."

"The insurgents were routed and 2 captured. The prisoners told of the location of the insurgent army and agreed to act as guides. The entire command was ordered out, the insurgents taken by surprise, 300 of them killed and 1,000 taken prisoners, including a priest, who was their general and father confessor, 2 captains, and 4 lieutenants."

"This band proved to be a secret organization known as the Katyauman. The priest assured them that if by any chance a Yankee bullet did hit and kill them they would come to life again in three days. They were so convinced of the power of the charm that they did not fear any body of armed soldiers."

"The priest was called out to tell the insurgents that they had been duped. He refused to do so, although he was flogged, and, as an example, was strung up to a tree and allowed to remain there a week so that it could be seen he did not come to life at the end of three days. The Katyauman were so superstitious and such fanatics that the thought of liberating them could not be entertained. To keep them prisoners would necessitate the placing of soldiers on short rations if not starving them. There was nothing to do but to kill them. This was done by squads. Every morning three squads of 20 men each were sent out under guard."

"They were taken a mile or so inland, and then furnished picks and shovels and started to work. When they had dug a trench 5 feet deep they were told to stand up in it. The picks and shovels were taken away. A bullet for each man ended his agony, and he lay dead in the grave he had dug in this fashion. The entire 1,000 were put out of the way of harm. While these measures may seem exceedingly cruel to us," said the Rev. Dr. Walker, "my son tells me they are absolutely necessary for the preservation of the American soldiers."

It seems to me that this is so horrible and incredible, both as to the methods employed and the number of Filipinos who are said to have been slaughtered, that there is very grave question of its accuracy.

Mr. LODGE. Will the Senator kindly give me the date of that?

Mr. TURNER. It is dated May 5. It appears in the Washington Post of this morning.

Mr. LODGE. I mean the date when this action occurred.

Mr. TURNER. There is no date given to it.

Mr. McCOMAS. We should like to know the time and place of this occurrence.

Mr. TURNER. I wish to say again that I do not present this telegram with any great belief in its accuracy. I doubt that exceedingly. I do not believe that anything so atrocious could have been perpetrated by an American command, no matter how large



or how small. But the telegram is certainly worthy of the consideration of the Senator from Massachusetts. It comes from his own State, and I present it for his consideration and for such investigation as he thinks it requires.

Mr. LODGE. If the Senator will allow me to interrupt him, I shall be delighted to have the matter investigated. It seems to have been a military action of very considerable size, a battle of which we have never had any information. I should like, however, to read in connection with it the report of the civil governor of the province of Sorsogon, which is a pacified province.

PROVINCE OF SORSOGON, PHILIPPINE ISLANDS,  
OFFICE OF THE GOVERNOR,  
Sorsogon, January 11, 1902.

SIR: In compliance with section 7, act No. 83, organizing provincial governments, I have the honor to make the following report:

Since the organization of the province of Sorsogon, April 30, 1901, there has occurred but one disturbance of any magnitude. This was the organization of the mountain people into a katipunan society to resist the Government. They were in the lower end of the province, led by ignorant and unprincipled men, who kept the movement alive as long as possible for their own personal gain. The military and constabulary, with the assistance of the more intelligent of the natives, were able to put an end to the disturbance within a few months, and the province is now apparently in a peaceful condition. During the trouble referred to above two natives in the employ of the Government were killed by the antiing antiings, and detachments of soldiers were twice attacked by bolomen, but they were in each case successfully repulsed with heavy loss to the natives and none to the soldiers.

Ysidro Gallanosa, presidente of the town of Santa Magdalena, was killed November 7, 1901, by a detachment of Company L, Fifteenth Infantry. He was a prisoner in the hands of the military, who report that he attempted to escape and was shot. Full report of this has been made.

Whether or not that statement refers to the same battle the Senator from Washington refers to I do not know. The date of that report, as I have stated, is January 11, 1902. Do I understand the soldier who wrote the letter which the Senator from Washington has read is in the Philippine Islands?

Mr. TURNER. So it is said.

Mr. LODGE. I shall be very happy to take steps to investigate that matter.

Mr. TURNER. I commend to the consideration of the junior Senator from Massachusetts another clipping from the Boston Evening Record of April 30, which I shall not read. It shows the great degree of unrest in the public mind in his State concerning these happenings in the Philippine Islands. The nature of the article is expressed by the following headlines:

Ring words of Bishop Lawrence to be sent to the President—Convention so votes—Episcopalians go on record as the opponents of the "kill and burn" regime.

I also submit an article clipped from the Spokesman-Review, of Spokane, Wash., containing the narrative of a number of soldiers who lately returned from the Philippine Islands, stationed at Fort Wright, near the city of Spokane, concerning happenings in the Philippine Islands. I wish to have it inserted as a part of my remarks without reading. I call the attention of the chairman of the Committee on the Philippines to the names of the soldiers disclosed in this article, as I think it would be exceedingly desirable to have them here as witnesses.

The PRESIDENT pro tempore. Without objection, the article will be inserted in the RECORD.

The article referred to is as follows:

SAW TORTURE OF FILIPINOS—FORT WRIGHT SOLDIERS TELL OF ATROCITIES BY LIEUTENANT BOLTON—"WATER CURE" WITH SHASTA WATER.

Stories of the "water cure" practiced by American soldiers in the Philippines are confirmed by soldiers of the Seventeenth Infantry who have just returned from Manila. Two companies, K and M, are stationed at Fort Wright. Almost without exception the returned soldiers confirm the press dispatches and give new details which came under their personal observation.

The scouting party under Lieutenant Bolton, of Company L, Seventeenth Infantry, was particularly bloodthirsty in its methods, according to the returned fighters. The "water cure" seems to have been an everyday incident in the career of Bolton and his men, and they added new and original tortures to it to extort facts from Filipinos who refused to give information such as Lieutenant Bolton wanted.

There are two soldiers now at Fort Wright who were with Bolton on his scouting trips. One of them is Private Hines, of Company K. The other is Rufus Wilson, of Company M. They were detached from regular service in the Philippines and were placed in the squad with which Bolton roamed over the islands in quest for arms and information.

#### TREATED MOST CRUELLY.

"Lieutenant Bolton certainly treated those natives most cruelly," said Private Hines yesterday. "I was with him on a scouting trip seventeen days in the northern part of Luzon. We would ransack the native towns in search of arms and information about the insurgents. When Lieutenant Bolton got hold of a Filipino from whom he wanted to get information he showed him no mercy. I myself saw the water cure given three times on that trip. One time Bolton was not satisfied with giving the fellow ordinary water. He forced Shasta water down his throat. I wouldn't stand for such cruelty as that and I walked away. That Shasta water is vile stuff. It has a terrible taste, and it sickens a man dreadfully."

"Before I joined Lieutenant Bolton's scouting party, he got information from natives by hanging them to trees. I did not see that myself, however."

#### HORRORS OF THE WATER CURE.

"The water cure is a simple thing. The native was tied down flat on the ground, and his mouth is forced open with sticks or a string which is tied behind his head. Then water is poured down his throat through a bamboo tube, which is nearly always handy. The native must drink the stuff, and it is poured down him until he can hold no more. As much as about a gallon

can be forced into a man in that way. Then the water is pumped out of him by stamping on his stomach or rolling him over. When he comes to, the native is always ready to talk."

"Lieutenant Bolton had only from six to a dozen men with him on his scouting trips, but he would go anywhere. When he came to a village where the insurgents had been centered he would summon the presidente before him. He would demand information as to the whereabouts of the native troops, or would demand knowledge of hidden rifles. If the presidente was unwilling to talk he would get the water cure. In one place we got 30 rifles."

#### BOLTON A BRAVE MAN.

"Lieutenant Bolton was certainly a brave man. He spoke all the native languages and Spanish, and he was not afraid of anything. His men would go with him any place."

Private Rufus Wilson, of Company M, who was also with Bolton, refused to talk about the matter. "I don't know anything about the water cure," he said, doggedly, "and if I did I wouldn't tell my own brother, for it might get some officers who are friends of mine into trouble."

#### MANY FORMS OF TORTURE.

Almost every soldier seen at Fort Wright added his testimony as to the many forms of torture inflicted by the American soldiers upon Filipinos who refused to give up information. Most all the soldiers, however, would not permit their names to be used. They say that a common form of torture, which was particularly exquisite, consisted in interlacing a victim's fingers together. He would then be suspended by the fingers from the limb of a tree until ready to give up the information which his inquisitors demanded. The pain in that treatment is said to be something dreadful. It works like a thumbscrew applied to all the fingers at once.

#### HANGING TO EXTRACT CONFESSIONS.

The soldiers agree that another feature of the inquisition, as carried on by the scouts, consisted in hanging Filipinos by the neck to the nearest tree until the hapless victim would be almost dead. Then he would be let down and brought to life again. If he would tell what was wanted, the torture was suspended. Otherwise it would be carried forward with new features.

The prisoner was not released after coming out from the inquisition. He was held until a search by the soldiers was made in accordance with the information which he should give as to hidden arms or the hiding places of insurgents. If no arms or hiding places were found in accordance with his statements he would be tortured afresh until he should give out information satisfactory to his inquisitors.

#### NO SURGEONS AT WATER CURE.

The water cure seems to have been given by the scouts whenever they wished, regardless of whether an officer supervised the operation. As to having a surgeon there to see that the treatment was not carried to a point where it would be fatal, the attendance of a surgeon seems to have been passed up as superfluous by the Bolton party.

The Shasta water, which Private Hines says was given under Lieutenant Bolton's orders, is a mineral water from Shasta Springs, California. It is peculiarly unpalatable and has strong medicinal effects.

Mr. TURNER. Mr. President, I have but little more to say. I have felt very keenly the perfidy involved in our conduct toward the Filipinos after the close of the Spanish war, and I have not scrupled to express my feelings regarding it, both here and elsewhere. We invited that people to assist us in our war with Spain. We secured unopposed entry into their country by assuring them that we had come there for the purpose of assisting them in waging their warfare against Spain. When the war had been concluded—their war as well as ours—with their aid as well as ours—we made peace without giving them any voice therein, without even deigning to hear them; and we took their country as the spoil of war, although our officers told us that it meant war with them, and although we must have known, had we exercised reason and judgment, that it meant war with them.

A more perfidious betrayal of trust and confidence was never committed by any nation since the history of the world began. A more unjust war was never waged than that which has been waged against that people as a result of this act of perfidy. But I do not believe American officers and American soldiers are any more cruel and bloody-minded than the soldiers of any other nation would be under the same circumstances. A Smith or a Waller might come to the surface in the army of any nation. American soldiers are no better and no worse than those of any other civilized people, but we ought to have known, when we entered upon this warfare, that it would necessarily be conducted upon a lower plane than that which usually accompanies civilized warfare. The Anglo-Saxon looks with contempt on inferior races. He does not scruple to make terrible reprisals when put to it. The lust of blood infects him as it does all men whose trade it is to shed blood. The Filipinos are distinctly an inferior race to ours. Our soldiers so regard them and call them "niggers." Yet they have fought for liberty, and we knew that they would fight even us for liberty, unequal as the contest would be.

We had no right to force the fight on them. If gratitude for their assistance to us in our war was insufficient to deter us, we ought at least to have seen the nature of the conflict on which we were entering and to have drawn back before it was too late. But reckless men drove us on. The rage for innovation, the lust of dominion, the greed of conquest, "the pomp and circumstance of glorious war," to say nothing of the meaner and baser passions, prevailed over the dictates of sober judgment. The task of the patriot to-day should be to recall the country to the sway and dominion of sober judgment. Give us light that we may see, and, seeing, may judge. Give us light, my Republican friends. If you decline it is not because you can not, but because you will not. And, in view of the bloody stain which has appeared on the national ensign, if you will not, it is because you dare not. Yours may not



be the ruthless hand that has dyed our flag in the innocent blood of old age and tender youth, but it can not be forgotten that yours is the power that armed that hand, and yours is the voice of folly that nerved it on to its desperate and its bloody work. You can not escape responsibility if you would, but you may do much to make atonement if you will. And the first step in that direction is to turn on the light that the people of the country may see the extent to which your folly has complicated us, and be enabled thereby to take the necessary steps to counteract the effects of that folly.

I say again, then, turn on the light, turn on the light.

Mr. LODGE. Mr. President, as the Senator from Washington [Mr. TURNER] has referred to the Episcopal Diocesan Convention in Boston, and read from a Boston newspaper, I send to the desk a brief extract, which I ask to have read, from a Republican newspaper.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[Boston Journal, Thursday, May 1, 1902.]  
BISHOP WILLIAM LAWRENCE.

The principal feature of yesterday's session of the seventeenth annual convention of the Episcopal Diocese of Massachusetts, which is being held in Trinity Chapel, was the annual address of Bishop Lawrence. Coming so close after the severe comment upon the National Administration made by Rev. Dr. Leighton Parks, rector of Emmanuel Church, last Sunday morning, especial significance attaches to it. The Bishop's closing utterances were these:

"Again, I express my confidence that, regardless of party issues and questions of political policy, the members of our National Administration, who are more intelligent as to the conditions than we, are just as alert as any citizen in the land to get at the facts, and in the spirit, not of revenge, but of justice, mete out punishment upon the offenders; such punishment as will convince the Filipinos, as well as the people of this country, that our work in those islands is not to degrade, but to uplift; not to kill, but to make alive."

"One mistake might be made under the pressure of an indignant people which would add disaster to shame; it would be the hasty and unjust punishment of men who had not been proved guilty. With witnesses and accused separated by an ocean and a continent justice can not be meted out in a day. We have, certainly I have, complete confidence in the justice, the humanity, and the courage of our President. Whether some of you have confidence in the other members of the Administration or not (I have) this President is the Administration. Patience, self-restraint, caution as to our accusation of men still on trial—these, it seems to me, are the qualities that we need just now and a strong support of the Administration in its efforts to redeem the fair name of this nation."

Mr. CARMACK. I want to know from whom that comes.

Mr. LODGE. That is from Bishop William Lawrence, the Episcopal bishop of Massachusetts.

Mr. HOAR. I should like to say something about this matter.

Mr. TURNER. Will the Senator from Massachusetts yield to me for a moment?

Mr. HOAR. I do not know who has the floor. Since the Senator sat down I do not know that it has been awarded to anybody.

The PRESIDENT pro tempore. The Chair will recognize the Senator from Massachusetts [Mr. HOAR].

Mr. HOAR. Mr. President, I should like to say that Bishop Lawrence sent me his own statement on this subject, of which a part has been read. I think the whole statement will be interesting, and not merely the part quoted in the newspaper. I should like to supply that to-morrow to be put in the RECORD, or perhaps, if I can get it, I may put it in the RECORD to-night, if there be no objection.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. HOAR. I should like to say, in connection with what has been said by the Senator from Washington [Mr. TURNER], that he misunderstood the circumstances in regard to the ordering of this committee. It was no part of the resolution, or of the proposition when I introduced the resolution for an investigation, to ask the Senate to determine the question whether the committee should go to the Philippine Islands. There was nothing said in the resolution about that. I thought that should properly be dealt with later, after the committee knew what was necessary to be done.

I wish to say, because the matter has been much misunderstood by the country, and I have received reproachful articles from newspapers that I had abandoned a desire for an impartial committee, that when I introduced that resolution I said, before anything else had been said by anybody, the resolution having been read, that if the Committee on the Philippine Islands, of which my colleague [Mr. LODGE] was chairman, would undertake that duty, of course it ought to be consigned to them; that if it were made up by the Chair it ought to be made up of the prominent members of that committee. I added that no reasonable man would expect, of course, that the task of investigating the working of a political policy would be committed by a political body like the Senate to a committee which was antagonistic to that policy. It would be a thing unknown in parliamentary history.

When I had concluded the Senator from Tennessee [Mr. CARMACK] rose and said the minority of the Committee on the Philippines had been consulting together on the subject, and that they

also desired that it should go to the Committee on the Philippines. My colleague then rose and said that his committee was willing to take it, and he thought it would be rather a slight on the committee if it were not committed to it. So the course which was taken, so far from my abandoning anything I have proposed, was the course approved by the entire Senate. I have no doubt myself that this investigation, which has disclosed so much already, is going to bring to the knowledge of the Senate and the American people the substantial facts in this case.

But I should like to be permitted to say, in all courtesy and kindness to the committee, that they are considering the destinies of 10,000,000 American subjects, as they call them and think they are, and they are considering whether certain proved cruelties or atrocities which have been committed toward that people, if not justified, have been provoked and extenuated and palliated by their conduct, and they have not so far heard one of them. Not a Filipino has been heard, although there are many of them whom our governors and generals say are able, intelligent, patriotic people. Although many of them are the authors of state papers, among the best state papers in all history, not one single Filipino so far has been heard to give his opinion as to the interests of his people or in defense of the terrible charges made against them.

This investigation is still on the threshold. It is in the hands of honorable men, humane American Senators, just and wise, and I am sure it is only necessary to call their attention to this fact to make it certain that that side will be fully heard before the investigation is over.

Mr. McCOMAS obtained the floor.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. H. McKENNEY, its enrolling clerk, communicated to the Senate the intelligence of the death of Hon. JOSHUA S. SALMON, late a Representative from the State of New Jersey, and transmitted resolutions of the House thereon.

The message also announced that the Speaker of the House had appointed Mr. GARDNER of New Jersey, Mr. LOUDENSLAGER, Mr. HOWELL, Mr. FOWLER, Mr. STEWART of New Jersey, Mr. PARKER, Mr. McDERMOTT, Mr. GRAFF, Mr. BALL of Texas, Mr. LLOYD, Mr. NEVIN, and Mr. CLAUDE KITCHIN as members of the committee on the part of the House.

#### DEATH OF REPRESENTATIVE JOSHUA S. SALMON, OF NEW JERSEY.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, May 6, 1902.

*Resolved*, That the House has heard with deep regret and profound sorrow of the death of Hon. JOSHUA S. SALMON, a Representative from the State of New Jersey.

*Resolved*, That a committee of twelve members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral at Bonton, N. J., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The Speaker announced the appointment of Mr. GARDNER of New Jersey, Mr. LOUDENSLAGER, Mr. HOWELL, Mr. FOWLER, Mr. STEWART of New Jersey, Mr. PARKER, Mr. McDERMOTT, Mr. GRAFF, Mr. BALL of Texas, Mr. LLOYD, Mr. NEVIN, and Mr. CLAUDE KITCHIN as members of the committee on the part of the House.

Mr. DRYDEN. Mr. President, I ask for the adoption of the resolutions which I send to the desk.

The PRESIDENT pro tempore. The Senator from New Jersey presents resolutions, which will be read.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has heard with deep regret and sorrow the announcement of the death of Hon. JOSHUA S. SALMON, late a Representative in Congress from the Fourth district of New Jersey.

*Resolved*, That a committee of seven Senators be appointed by the Presiding Officer of the Senate to join the Committee of the House of Representatives to make arrangements for and to attend the funeral of the deceased.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

The PRESIDENT pro tempore. The question is on agreeing to the resolutions submitted by the Senator from New Jersey.

The resolutions were unanimously agreed to.

The PRESIDENT pro tempore appointed as the committee on the part of the Senate, under the third resolution, Mr. KEAN, Mr. DRYDEN, Mr. BURNHAM, Mr. BEVERIDGE, Mr. HEITFELD, Mr. FOSTER of Louisiana, and Mr. BACON.

Mr. DRYDEN. As a further mark of respect to the memory of the deceased, I move that the Senate adjourn.

The motion was unanimously agreed to; and (at 5 o'clock and 37 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 7, 1902, at 12 o'clock meridian.



## HOUSE OF REPRESENTATIVES.

TUESDAY, May 6, 1902.

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

We bless Thee, Almighty God, our Heavenly Father, for life and all its rich and varied endowments, and we most fervently pray that we, as individuals, may use our life and the gifts which Thou hast bestowed upon us to the highest and noblest purposes that righteousness, peace, and love may prevail. With painstaking and industry help us to "work while it is yet day, for the night cometh when no man can work;" surely the angel of death, the reaper, has been busy among us. A third desk draped with the emblems of mourning tells us of another visit, leaving our hearts desolate; and oh, Heavenly Father, we most humbly pray that Thy comfort may come to the bereaved wife and all the friends who were near and dear to him. Help us, our Heavenly Father, to be impressed with these lessons, that our lives may be pure and ready when the summons comes to pass over the river; and Thine shall be the praise, in the name of Christ the Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 91. Joint resolution providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle;

S. R. 92. Joint resolution providing for the publication of 50,000 copies of the Special Report on Diseases of the Horse;

S. 5387. An act to change the terms of the circuit courts of the United States within the first circuit; and

S. 5406. An act to authorize the construction of a bridge across the Savannah River from the mainland of Aiken County, S. C., to the mainland of Richmond County, Ga.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 4446. An act for the relief of Harry C. Mix.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 2975) granting an increase of pension to Levi Hatchell, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PRITCHARD, Mr. DEBOE, and Mr. CARMACK to be the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4868) granting an increase of pension to James H. Walker.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act.

The message also announced that the Senate had passed the following resolutions:

*Resolved*, That the Senate has heard with deep regret and sorrow the announcement of the death of Hon. PETER J. OREY, Representative in Congress of the Sixth Congressional district in Virginia.

*Resolved*, That a committee of seven Senators be appointed by the presiding officer of the Senate to join the committee of the House of Representatives to make arrangements for and to attend the funeral of the deceased.

*Resolved*, That as a further mark of respect the Senate do now adjourn.

And that in compliance with the foregoing the President pro tempore had appointed as members of the committee on the part of the Senate Mr. DANIEL, Mr. MARTIN, Mr. BATE, Mr. CLAY, Mr. GALLINGER, Mr. CLARK of Wyoming, and Mr. MILLARD.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. McMAHON, for eight days, on account of important business.

To Mr. CONNER, for ten days, on account of important business.

## DEATH OF HON. JOSHUA S. SALMON.

Mr. PARKER. Mr. Speaker, it is with more than sadness, it is with shock and awe, that I have to announce to the House the death of the Hon. JOSHUA S. SALMON, news of which has just reached us. He died at his home in Boonton, N. J., this morning. At some future time request will be made of the House to appoint a day and time when we may pay our tribute to his character; to that modesty and purity, gentleness, kindness, and truth, which in his comparatively short service have made him as be-

loved by his fellows as he was respected for his absolute conscience, sturdiness, and earnestness of character. At present I beg to move the adoption of the resolutions which I send to the Clerk.

The SPEAKER. The gentleman from New Jersey submits the following resolutions for the present consideration of the House.

The Clerk read as follows:

*Resolved*, That the House has heard with deep regret and profound sorrow of the death of the Hon. JOSHUA S. SALMON, a Representative from the State of New Jersey.

*Resolved*, That a committee of twelve members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral at Boonton, N. J., and that the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

*Resolved*, That the Clerk communicate these resolutions to the Senate, and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolutions.

The question was taken, and the resolutions were unanimously agreed to.

The SPEAKER. In pursuance of the resolutions just adopted, the Chair announces the following committee of the House: Mr. GARDNER of New Jersey, Mr. LOUDENSLAGER, Mr. HOWELL, Mr. FOWLER, Mr. STEWART of New Jersey, Mr. PARKER, Mr. McDERMOTT, Mr. GRAFF, Mr. BALL of Texas, Mr. LLOYD, Mr. NEVIN, and Mr. CLAUDE KITCHIN of North Carolina.

Mr. PARKER. Mr. Speaker, as a further mark of respect to my deceased colleague, I move that the House do now adjourn.

The SPEAKER. The gentleman from New Jersey moves, as a further mark of respect to our deceased friend and colleague, that the House do now adjourn.

The motion was agreed to.

And accordingly (at 12 o'clock and 10 minutes p. m.) the House adjourned.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 12702) to provide for the erection of a quartermaster's warehouse at Omaha, Nebr., reported the same without amendment, accompanied by a report (No. 1920); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BRICK, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2199) to remove the charge of desertion from the military record of Jonas Albert, reported the same with amendment, accompanied by a report (No. 1891); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2430) for the relief of Lizana D. Streeter, reported the same with amendments, accompanied by a report (No. 1892); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2623) granting an increase of pension to John Smith, reported the same with amendment, accompanied by a report (No. 1893); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1695) granting an increase of pension to Christopher C. Perry, reported the same with amendments, accompanied by a report (No. 1894); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3517) granting an increase of pension to Stephen Harris, reported the same with amendments, accompanied by a report (No. 1895); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4262) granting an increase of pension to Thomas P. May, reported the same without amendment, accompanied by a report (No. 1896); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7150) granting a pension to Garrett Stanley, reported the same with amendment,



accompanied by a report (No. 1897); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7353) granting a pension to Nancy M. Williams, reported the same with amendments, accompanied by a report (No. 1898); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7401) granting an increase of pension to William Brown, reported the same with amendments, accompanied by a report (No. 1899); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7778) granting a pension to Peter Buckley, reported the same without amendment, accompanied by a report (No. 1900); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1715) granting an increase of pension to Henry P. Hudson, reported the same with amendments, accompanied by a report (No. 1901); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9437) granting a pension to Elias A. Calkins, reported the same with amendments, accompanied by a report (No. 1902); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10201) granting an increase of pension to O. R. Freeman, reported the same with amendments, accompanied by a report (No. 1903); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10752) granting a pension to Harriet T. Milburn, widow of John T. Milburn, deceased, reported the same with amendments, accompanied by a report (No. 1904); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11921) granting an increase of pension to George W. De Graw, reported the same with amendments, accompanied by a report (No. 1905); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12983) granting an increase of pension to Eleanor Emerson, reported the same with amendment, accompanied by a report (No. 1906); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13378) granting an increase of pension to Edwin Beckwith, reported the same with amendment, accompanied by a report (No. 1907); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13846) granting an increase of pension to John G. Heiser, reported the same with amendments, accompanied by a report (No. 1908); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14079) granting an increase of pension to John Miller, reported the same without amendment, accompanied by a report (No. 1909); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 14099) granting a pension to Samantha B. Van Brocklin, reported the same without amendment, accompanied by a report (No. 1910); which said bill and report were referred to the Private Calendar.

Mr. KLEBERG, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14118) granting a pension to Mary C. Bickerstaff, reported the same with amendments, accompanied by a report (No. 1911); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12777) granting a pension to George H. Young, reported the same with amendments, accompanied by a report (No. 1912); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5294) granting an increase of pension to William F. Horn, reported the same without amendment, accompanied by a report (No. 1913); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4256) granting an increase of pension to Henry W. Edens, reported the same without amendment, accom-

panied by a report (No. 1914); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2347) granting an increase of pension to Alfred M. Wheeler, reported the same without amendment, accompanied by a report (No. 1915); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4455) granting an increase of pension to Hallowell Goddard, reported the same without amendment, accompanied by a report (No. 1916); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 500) granting a pension to Samuel S. Beaver, reported the same without amendment, accompanied by a report (No. 1917); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4979) granting an increase of pension to Paul Fuchs, reported the same without amendment, accompanied by a report (No. 1918); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 182) granting a pension to Mary F. Zollinger, reported the same without amendment, accompanied by a report (No. 1919); which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred, as follows:

A bill (H. R. 2432) for the relief of A. M. Darling—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 2433) for the relief of Frank C. Darling—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 3233) for the relief of James C. Slaght—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. MERCER: A bill (H. R. 14218) to repeal the law authorizing the sale of the site at Fort Omaha, Nebr.—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas (by request): A bill (H. R. 14219) providing for the payment of the award of the Secretary of the Interior in favor of the Cherokees, and so forth—to the Committee on Indian Affairs.

By Mr. BREAZEALE: A bill (H. R. 14220) to authorize the Shreveport and Red River Valley Railway Company to construct and maintain two bridges across Bayou De Glaize, in the parish of Avoyelles, State of Louisiana—to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BOWIE: A bill (H. R. 14221) granting an increase of pension to Nancy J. McArthur—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 14222) granting an increase of pension to Thomas J. Frasier—to the Committee on Invalid Pensions.

By Mr. BROMWELL: A bill (H. R. 14223) granting an increase of pension to Marie L. Birchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14224) granting an increase of pension to Margaret S. Tod—to the Committee on Pensions.

By Mr. CASSEL: A bill (H. R. 14225) granting an increase of pension to W. D. Stouffer—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 14226) for the relief of Capt. J. H. Lambert's company, West Virginia Volunteer Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14227) for relief of Capt. Michael Mallow's company, West Virginia State Scouts—to the Committee on Invalid Pensions.

By Mr. HUGHES: A bill (H. R. 14228) granting a pension to Julius Felix—to the Committee on Pensions.



By Mr. GRAHAM: A bill (H. R. 14229) granting an increase of pension to Joseph O. Kerbey, alias Joseph A. Kerbey—to the Committee on Pensions.

By Mr. HEMENWAY: A bill (H. R. 14230) granting an increase of pension to Lemuel M. De Bruler—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 14231) for the relief of Daniel F. Shirk—to the Committee on Military Affairs.

By Mr. KERN: A bill (H. R. 14232) granting an increase of pension to Lucilius C. Moss—to the Committee on Pensions.

By Mr. LITTAUER: A bill (H. R. 14233) granting an increase of pension to William H. Lawton—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 14234) granting a pension to John Williamson—to the Committee on Pensions.

By Mr. MAHON: A bill (H. R. 14235) granting an increase of pension to George White—to the Committee on Pensions.

By Mr. MILLER: A bill (H. R. 14236) granting an increase of pension to William E. Chatfield—to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 14237) to grant an increase of pension to Daniel M. Swisher—to the Committee on Invalid Pensions.

By Mr. SHATTUC: A bill (H. R. 14238) granting a pension to Annie Eliza Doss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14239) for the relief of Eli Norris—to the Committee on Claims.

By Mr. HENRY C. SMITH: A bill (H. R. 14240) granting an honorable discharge to John P. Miller—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 14241) granting an increase of pension to Peter Dugan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14242) granting a pension to Charles E. Peake—to the Committee on Invalid Pensions.

By Mr. WILEY: A bill (H. R. 14243) for the relief of the heirs of James Y. Brame—to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of Wexford Exchange Company, Wexford, Pa., and W. T. Kemp, Connellsville, Pa., favoring the new oleomargarine bill—to the Committee on Agriculture.

By Mr. BROMWELL: Papers to accompany House bill 14223, granting an increase of pension to Marie L. Birchard—to the Committee on Invalid Pensions.

Also, paper in support of House bill 14224 granting an increase of pension to Margaret S. Tod—to the Committee on Pensions.

By Mr. BURK of Pennsylvania: Resolutions of 1,000 citizens of Philadelphia, sympathizing with the people of the South African Republic—to the Committee on Foreign Affairs.

By Mr. COWHERD: Petition of wholesale liquor dealers of Kansas City, Mo., in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

Also, resolutions of Irish-American societies of Kansas City, Mo., expressing sympathy for the people of the South African Republic—to the Committee on Foreign Affairs.

By Mr. CRUMPACKER: Petition of citizens of Hobart, Ind., in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

Also, petition of Polish St. Casimir Society, of Michigan City, Ind., for an appropriation for a monument to the memory of Maj. Gen. Henry Knox—to the Committee on the Library.

Also, resolutions of Order of Railway Telegraphers of Kouts, Ind., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. DALZELL: Resolutions of Chamber of Commerce of Pittsburg, Pa., approving the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of Polish Turners' Society, of Pittsburg, Pa., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. JOHNSON: Affidavits of L. S. Bolt, A. C. Fuller, O. G. Thompson, and others, to accompany House bill No. 14207—to the Committee on War Claims.

Also, petitions of J. A. Sawyer and 10 other lawyers of Union, A. C. Todd and 9 other lawyers of Laurens, J. F. J. Caldwell and 14 other lawyers of Greenwood, S. C.; L. W. Simkins and W. W. Kennedy, of Laurens, County, S. C., in favor of House bill No. 14202—to the Committee on the Judiciary.

By Mr. KERN: Resolutions of Glass Bottle Blowers' Union No. 23, of Belleville; Mine Workers' Union No. 641, of Sandoval; No. 1821, of Shuline; No. 745, of Lebanon; Nos. 750 and 99, of

Belleville; No. 52, of Centralia; No. 67, of Breese; Typographical Union No. 18, of Belleville, and sundry citizens and laboring men of Percy and Dubois, Ill., all favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. KNAPP: Petition of citizens of Watertown, N. Y., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. LITTAUER: Papers to accompany House bill granting an increase of pension to William H. Lawton—to the Committee on Invalid Pensions.

By Mr. MAHON: Papers to accompany House bill for the relief of George White, a soldier of the Mexican war—to the Committee on Pensions.

By Mr. PALMER: Resolution of United Mine Workers' Union No. 1637, Freeland, Pa., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. RUSSELL: Resolutions of the common council of Hartford, Conn., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Norwich, Conn., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

By Mr. SHATTUC: Papers to accompany House bill granting a pension to Annie Eliza Doss—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: Resolutions of the Detroit Branch of the Transvaal League, Detroit, Mich., in relation to unnecessary hardship and brutality in the British South African war—to the Committee on Foreign Affairs.

By Mr. STEWART of New York: Resolutions of Journeymen Stone Cutters' Union, of Cobleskill, N. Y., with reference to the use of Cleveland sandstone in Federal buildings—to the Committee on Public Buildings and Grounds.

#### SENATE.

WEDNESDAY, May 7, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

#### PETITIONS AND MEMORIALS.

Mr. PENROSE. I present a petition of the American Wireless Telephone and Telegraph Company, praying for an extension of their patent for the term of ten years from the 4th of October, 1903. I move that the petition be printed as a document and referred to the Committee on Patents.

The motion was agreed to.

Mr. PENROSE presented petitions of Spring Park Lodge, No. 411, of Tusculumbia; of Division No. 450, of Tuscaloosa; of Locomotive Engineers' Division No. 436 and No. 106; of Railway Conductors' Division No. 186; of Railroad Trainmen's Lodge No. 590; of Locomotive Engineers' Division No. 140; of Birmingham Railway Conductors' Lodge, No. 98, of Montgomery; of Locomotive Engineers' Lodge No. 223, of Selma; of Railroad Trainmen's Lodge No. 411, of Tusculumbia; of Locomotive Engineers' Lodge No. 450, of Tuscaloosa; of Gulf City Division, No. 140, Brotherhood of Locomotive Engineers, of Mobile; of Birmingham Lodge, No. 590, Brotherhood of Railroad Trainmen, of Birmingham; of Great Southern Division, No. 436, Brotherhood of Locomotive Engineers, of Birmingham; of Brotherhood of Locomotive Engineers, Division No. 306, of Birmingham; of Birmingham Division, No. 186, Order of Railway Conductors, of Birmingham; of Brotherhood of Trainmen, Alabama Lodge, No. 161, of Montgomery; of Brotherhood of Locomotive Engineers, of Selma, all in the State of Alabama; of Brotherhood of Locomotive Engineers, of Winslow; of Dewey Lodge, No. 460, of Tuscon; of San Xavier Division, No. 313, Order Railway Conductors, of Tuscon; all of the Territory of Arizona; of Golden Circle Division, No. 546, Brotherhood of Locomotive Engineers, of Canon City; of Division No. 375, of Canon City; of Brotherhood of Railroad Trainmen, of Colorado City; of San Luis Valley Lodge, No. 401, of Alamosa; of Brotherhood of Railroad Trainmen, Snowy Range Lodge, No. 30, of Denver; of Brotherhood of Railroad Trainmen, Silver State Lodge, No. 446, of Denver; of Order of Railway Conductors, Division No. 44, of Denver; of Order of Railway Conductors, Division No. 63, of Durango; of Division No. 325, of Grand Junction; of Mount Garfield Lodge, No. 349, of Grand Junction; of Pikes Peak Lodge, No. 32, Brotherhood of Railroad Trainmen, of Pueblo; of Lodge No. 31, Brotherhood of Railway Trainmen, of Salida; of Division No. 132, Order of Railway Conductors, of Salida; and of Order of Railway Conductors, Division No. 247, all in the State of Colorado;